



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION [B.A.] NO. 1388 OF 2025

Sachin S/o Kisan Kamble

-- VERSUS --

State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. I.Haque, Advocate for the Applicant.

Mr. A.R. Chutke, A.P.P. for the Non-applicant/State.

CORAM : M.M. NERLIKAR, J.

DATE : JANUARY 16, 2026.

Heard.

2. The present application is filed seeking regular bail in Crime No.908/2023 for the offence punishable under Sections 302, 307, 109, 201, 452, 504 and 506 of the Indian Penal Code, 1860, read with Sections 4 and 25 of the Arms Act, 1959, registered with Police Station Wardha, District Wardha.

3. The First Information Report is lodged by the husband of deceased. It is alleged that on 06/08/2023, applicant came to the house of informant with a sword and attacked the informant due to an ongoing dispute. The informant defended himself, however, his wife intervened to save him due to which she sustained injuries by sword on her neck which led to her death.

4. It appears that initially by an order dated 25/04/2024, the learned Additional Sessions Judge, Wardha, granted bail to the present applicant. However, upon receiving complaint about threats to the witnesses and one Arati Goswami, the application for cancellation of bail against the present applicant was allowed on 30/08/2024, by the learned Additional Sessions Judge, Wardha. The said order was challenged by the present applicant by filing Criminal Writ Petition No.945/2024, and by an order dated 18/12/2024, this Court, dismissed the writ petition. Later on, it appears that the application was filed under Section 483 of the BNSS for grant of conditional bail on medical grounds to the applicant. However, the trial Court by its order dated 26/06/2025, rejected the bail application observing that the present applicant is addicted to liquor and cannabis. Further, there is no major medical problem with the applicant which could be gathered from the discharge report.

5. I have perused the order of the trial Court.

6. The learned counsel appearing for the applicant submits that the applicant is of unsound mind, however, there is nothing on record to show that the present applicant is of unsound mind. As observed by the trial Court he is addicted to liquor

and cannabis which cannot lead to the conclusion that he is of unsound mind. No evidence has been placed on record by the learned counsel to substantiate that the applicant is of unsound mind.

7. Considering the above facts and circumstances, I am of the firm opinion, that this is not a fit case to grant bail, as the bail granted by the trial Court was cancelled on breach of condition which were imposed which has been further upheld by this Court. The applicant demonstrate a threat to witnesses and he is already undergoing treatment in jail. Hence the criminal application is **rejected**.

[M.M. NERLIKAR, J]