



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

**CRIMINAL APPLICATION [B.A.] NO. 1415 OF 2025**

Bhupendra Surendra Banjare

-- VERSUS --

State of Maharashtra

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

Court's or Judge's orders.

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Mr. R.M. Daga, 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.471/2025 for the offence punishable under Sections 103(1), 189(1), 189(2) and 190 of the Bharatiya Nyaya Sanhita, 2023, (BNS), registered with Police Station Jaripatka, District Nagpur.

**3.** The story of the prosecution is that on 30/06/2025, the motorcycle of deceased and one of the accused collided with each other. On this count, a quarrel took place. Two accused namely, Abhishek and Sujal @ Ammy Mhaiskar, assaulted deceased with the help of stone to which deceased succumbed to the injuries.

4. The learned counsel for the applicant submitted that the incident occurred only on this aforesaid count. The members of applicant's group and deceased were not known to each other. On one motorcycle two persons riding and on other motorcycle three persons riding. The incident occurred due to collision and due to which a quarrel took place in a spur of moment. Initially, there was a scuffle between the deceased and accused persons, and at that time two persons namely Sujal @ Ammy Mhaskar and Abhishek @ Abhi Ganesh Ambade assaulted with the help of stone on the head. He further submits that there was no intention on the part of the present applicant to cause death of the deceased. Even it could be gathered from the report that there was no overt act on the part of the applicant. The only allegations so far as the present applicant is concerned, is that, he has given fist and kick blows on the deceased.

5. The learned A.P.P. submits that the offence is serious and at this stage intention cannot be gathered. He further submits that the applicant has played an active role as he was seen in the C.C.T.V. footage while giving fist and kick blows, and was identified by three persons in identification parade, and therefore, prayed for rejection of the bail application.

6. Upon careful perusal of the charge-sheet and the submissions of both the parties, it appears that, the incident occurred on trifle issue of motorcycle collision. It appears that applicant has not played any overt act. Two persons which are named above has given blows on the deceased with the help of stone. Considering the fact that investigation is complete, charge-sheet is filed and there is no criminal record, I am inclined to grant bail.

7. The observations of this Court are *prima facie* in nature. The Trial Court shall not be influenced by the observations of this Court and the observations are restricted to this bail application only. Hence, the following order:-

### **ORDER**

(i) The Criminal Application is **allowed;**

(ii) The applicant/accused (Bhupendra Surendra Banjare) be released on regular bail in connection with Crime No.471/2025 registered with Jaripatka Police Station, District Nagpur, for the offence punishable under Sections 103(1), 189(1), 189(2) and 190 of the Bharatiya Nyaya Sanhita, 2023, (BNS), on his furnishing a PR. bond of Rs.25,000/- with one surety in the like amount;

(iii) The accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also shall not tamper with the evidence;

(iv) The accused shall provide his residential address and cell number to Police Station concerned and shall not change his place of residence without prior intimation to the Investigating Agency;

(v) The accused shall attend each and every date of trial regularly. If he fails to attend the trial for two consecutive dates, or fails to comply with the aforesaid conditions, his default would entail the State to ask for cancellation of bail.

[ M.M. NERLIKAR, J ]