

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA) NO.1421/2025

(Sanket S/o Arjun Kadam Vs. 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 R. Siddharth, Advocate h/f Mr. P.V. Navlani, Advocate for applicant.

Mr. A. R. Chutke, APP for non-applicant/State.

CORAM: M. M. NERLIKAR, J.

DATED : 27/01/2026.

Heard.

2. The applicant by this application is seeking bail in connection with Crime No. 106/2025 registered with Police Station Lohara, Dist. Yavatmal for the offence punishable under Sections 103(1), 3(5) of the Bhartiya Nyaya Sanhita, 2023 ("BNS").

3. The allegations against the present applicant is that he has committed the murder of the deceased namely Ashish Sonone who happens to be the paramour of her mother. The learned counsel appearing for the applicant submits that the applicant is just 18 years of age. All the three co-accused have been granted bail out of which one person is juvenile and other two persons are near about same age as of the present applicant. Seeing the

relationship between the deceased and his mother it appears that he got annoyed and therefore the incident took place and it was submitted that there was no intention to commit murder.

4. The learned APP vehemently opposes the application and submits that he was seen in the CCTV footage while committing the offence. There is overt act on his part and there are also eyewitnesses to the incident. In the postmortem report, there are near about 22 injuries and many are on vital parts of the body. The cause of death is injury to vital organs and therefore he submits that when there is direct evidence and the applicant was seen in the CCTV footage while committing the offence, the present applicant does not deserve bail.

5. I have perused the charge-sheet and considered the submissions of both the parties. Admittedly, it appears from the record that deceased and the mother of the present applicant were having illicit relationship. It further appears that on the day of incident the applicant was talking with his mother. From the CCTV footage, it could be gathered that the present applicant was involved in the

present crime. Further the postmortem report also shows several injuries and the cause of death due to injury to vital organs, however the facts remains that the circumstances under which the applicant has committed the offence is required to be taken into consideration. No person would bear that his mother is having illicit relations with another person. Therefore, there is every possibility that out of the said anger, he has committed the offence. The applicant is just of 18 years of age and therefore putting him in jail for indefinite period would seriously prejudice his upliftment.

6. Considering above factors and the fact that the investigation is over and charge sheet is filed, I am inclined to grant bail to the present applicant, hence the following order:-

ORDER

- (i) Criminal application is allowed and disposed of.
- (ii) The applicant/accused Sanket S/o. Arjun Kadam be released on bail in connection with Crime No. 106/2025 registered with Police Station Lohara, Dist. Yavatmal for the offence punishable under Sections 103(1), 3(5) of the Bhartiya Nyaya Sanhita, 2023 ("BNS") on his furnishing P.R. 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 concerned Police Station and shall not change his place of residence without prior intimation to the concerned Investigating Officer.

(v) The applicant/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 entails the State to ask for cancellation of bail.

(M. M. NERLIKAR, J.)

Gohane