



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

CRIMINAL APPLICATION (ABA) NO. 944 OF 2025

DNYANESHWAR @ NANA YADAV INGALE

Vrs.

STATE OF MAHARASHTRA

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri V. S. Gokhale, Advocate for applicant.
Ms. M. R. Kavimandan, A. P. P. for respondent-sole.

CORAM: M. W. CHANDWANI, J.

DATE : 13/01/2026.

1. The applicant seeks extraordinary relief of anticipatory bail in connection with Crime No.243/2025 registered with Arni Police Station, Yavatmal for the offences punishable under Sections 191(3), 191(2), 190, 189(2), 109 and 103(1) of the Bhartiya Nyaya Sanhita, 2023, Sections 4 and 25 of the Arms Act, 1959 as well as Section 135 of the Bombay Police Act, 1951.

2. The contention is that the name of the applicant is not appearing in the FIR. The applicant is being suspected only on the ground that the co-accused has taken the name of the applicant as one of the assailants. The allegation against the present applicant is that he assaulted the deceased by means of a huge stone.

3. Having heard the learned counsel for the applicant as well as the learned APP for the State and having gone through the charge sheet, it is revealed that

out of total ten accused, six are unnamed and four are named. There are specific allegations that apart from the four accused who are named in the FIR, there are 5 – 6 persons who chased deceased Om Butle and assaulted him.

4. Perusal of the Call Details Report reveals that the applicant at the relevant time, was present on the spot of incident. No doubt, the statement of a co-accused cannot be used as evidence against the another accused, but it can certainly be used for the purpose of investigation as a lead. The offence is of serious nature, wherein one Om Butle was brutally murdered.

5. Considering the material against the present applicant as well as nature of allegations, the applicant is not entitled for extraordinary relief of anticipatory bail.

6. So far as the submission of the counsel for the applicant that charge sheet is already filed is concerned, it can be seen from the record that the other accused are shown as absconding and the applicant was also absconding. Therefore, the investigation is yet to be completed. There is no substance in the submission of the applicant and hence, the application is rejected.

[JUDGE]