



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

CRIMINAL APPLICATION [BA] NO. 39 OF 2026.

Prashant Bhaskarrao Warhade.

-VERSUS-

The State of Maharashtra.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri T.U. Tathod, Advocate for the Applicant.

Shri A. Chutke, A.P.P. for the Non-applicant.

CORAM : M.M. NERLIKAR, J.

DATE : JANUARY 30, 2026.

Heard learned Counsel for the parties.

2. The applicant came to be arrested on 27.08.2025 in connection with Crime No.413/2025 registered with Badnera Police Station, District Amravati for the offence punishable under Section 103[1] of Bhartiya Nyaya Sanhita (BNS) 2023. Charge sheet in the matter came to be filed and Sections 61[2][a], 249[a] and 3[5] of the BNS came to be added.

3. The first information report is lodged by Sou.Shital

Puri alleging that she is working as a teacher in Vidyaniketan Primary School, Ramnagar. His husband Atul Puri is working as a clerk in Shivaji Shikshan Sanstha. On 22.08.2025 in the morning her husband went for his job. One Padmatai, known to the informant, had called her and informed that her husband has been assaulted by unidentified persons and he is lying near Badnera Railway Station in dead condition. On the basis of this information the first information report came to be registered.

4. The learned Counsel for the applicant submits that the case is based on circumstantial evidence. He further submits that the only circumstance which was brought on record by the prosecution is in the nature of statement of Pankaj Bangade, who has stated that the present applicant has given an amount of Rs.5 lakhs to him and asked to hand over the same to Akshay Shimpi, to whom the contract of killing was given. He further submits that apart from the work of handing over amount, there are no other allegations against him. Even there is nothing in the entire charge sheet to connect the present applicant with conspiracy or with actual

committing of murder of the deceased Atul Puri. He therefore, submits that considering the limited role of handing over the amount to Pankaj, even the offence of murder would not attract for the reason that the applicant is not involved in the conspiracy, nor in the crime. The applicant was arrested on 27.08.2025 and considering the allegations against him, he deserves to be released on bail.

5. The learned A.P.P. vehemently opposed the application by filing reply and submits that the applicant along with other accused persons are involved in the present crime. He further submits that as there was ill-treatment to the sister of Rahul Puri, he has given contract to one Akshay Shimpi for killing through the present applicant. Pankaj who is witness, has handed over Rs.5 lakhs to Akshay Shimpi which was given by the present applicant and the said amount was distributed amongst other co-accused and one of the accused is Sahil Mohod from whom Rs.80,000/- was recovered, thus, there is sufficient link between the alleged crime and present applicant. He therefore, submits that it cannot be said that the applicant is not involved in the present crime. The offence is

serious and considering the gravity of the same, the applicant is not entitled to be enlarged on bail, and his application needs to be rejected.

6. Admittedly, it appears that the present applicant was involved on the basis of the statement of Pankaj Bangade, wherein he has specifically stated that he was acquainted with the applicant and other accused Akshay Shimpi, so also with Rahul Puri, who is brother in law of the deceased. It further appears that the deceased Atul Puri was harassing his wife, who is sister of Rahul Puri. From the statement it further appears that Rahul Puri and applicant had made enquiry with him about the availability of contract killer, and therefore, on 22.08.2025, the applicant has approached him with cash of Rs.5 lakhs and asked him to give it to the accused Akshay Shimpi. Akshay Shimpi collected the said amount from Pankaj at about 2 to 3 p.m. and accordingly Atul Puri was murdered by the accused persons. No doubt, the statement of Pankaj would disclose that the present applicant has handed over Rs.5 lakhs to him, so that the amount should be made over to Akshay Shimpi. Merely handing over of Rs.5 lakhs to

the accused by itself is not sufficient to connect the applicant with the present crime. In absence of any other link it is very difficult to accept the version of the said witness. No doubt Akshay Shimpi is still absconding. However, considering the limited role played by the applicant, i.e. of carrying of amount, except that I do not find any other material connecting him with the actual crime of murder of the deceased Atul Puri. It is also necessary to mention here that the material is lacking so far as criminal conspiracy is concerned. Further it is to be noted that the statement of Pankaj was recorded after registration of the first information report i.e. after 18 days of the alleged incident. Considering the above facts, and also that the investigation is over and charge sheet is filed, no purpose would be served by keeping the applicant behind bars, I am inclined to grant him bail, hence, the following order.

ORDER

- (i) Criminal Application is allowed and disposed of.
- (ii) The applicant /accused Prashant Bhashkarrao

Warhadebe released on regular bail in connection with Crime No.413/2025 registered with Badnera Police Station, District Amravati for the offence punishable under Section 103[1], 61[2][a], 249[a] and 3[5] of Bhartiya Nyaya Sanhita (BNS) 2023 on his furnishing P.R. Bond of Rs.50,000/- with two sureties in the like amount.

- (iii) The accused shall not enter within the territorial jurisdiction where the informant is residing, till the completion of the trial.
- (iv) 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.
- (v) 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.
- (vi) 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.
- (vii) The above observations are prima facie in nature, and restricted for the purpose of deciding this application. The Trial Court shall not get itself influenced by said observations, during the course of trial.

- (viii) Misc. Applications, if any, are also disposed of.

JUDGE