



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR
CRIMINAL APPLICATION NO. 73 OF 2026

Pratik s/o Sanjay Naik

..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

Shri Tushar U. Tathod, Advocate for the applicant.
 Shri V.A. Thakre, APP for the State.

CORAM: M.M. NERLIKAR, J.
DATE : 20.02.2026.

Heard.

2. By way of this application, the applicant is seeking bail in connection with Crime No.582 of 2025 registered with Frezarpura Police Station, Amravati District for the offence punishable under Sections 103(1), 238 read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The FIR was lodged by the PSI Jyoti Deokate alleging that during the patrolling duty, one suspect started running after noticing the police and when he was caught and interrogated by the police, the suspect disclosed that prior to 10 to 12 days, there was quarrel between the applicant and the other accused in which, one Rizwan was assaulted by means of iron rod on his head due to which he died and accused persons dumped his dead body in the sewage tank. Therefore, the crime was registered against the present applicant and other three persons.

4. Learned Counsel for the applicant submits that

only on the basis of disclosure made by one of the juvenile, the applicant is arraigned as an accused. There is no incriminating circumstance against the applicant except the recovery of one aluminum rod having blood stains at the behest of the applicant. The medical report shows that the deceased died due to head injury. The applicant and co-accused are friends. Juvenile has disclosed the above said incident to the Police, such disclosure statement shows that the incident took place in the spur of moment. Learned Counsel for the applicant submits that one of the accused namely Anosh Wankhade has been released on anticipatory bail by the Additional Sessions Judge on 16.09.2025. It is submitted that there is no clinching evidence against the applicant to connect him with the alleged crime and therefore, the applicant be enlarged on bail.

5. On the other hand, learned APP opposes the application on the ground that there is another evidence in the nature of CDR report, wherein tower location of the mobile of the applicant was shown at the spot of the incident at the relevant time. Further, he submitted that since there is disclosure statement and recovery of aluminium rod at the behest of the applicant having blood stain even after 16 days of the incident, the applicant does not deserve to be enlarged on bail.

6. I have considered the rival submission and the material available on record. It appears that there is disclosure statement of one Mohit about the murder of one Rizwan by three persons. There is also recovery of aluminum rod at the behest of applicant having blood

stain after 16 days of the incident and CDR report which shows the presence of the applicant at the spot of the incident at the relevant time. The alleged incident is stated to have occurred on 02.07.2025 between 2:00 p.m. and 3:00 p.m. The tower location relied upon by the prosecution appears to cover a substantial part of Amravati city, thereby requiring closer scrutiny during trial. Considering the overall facts and circumstances and the fact that applicant is behind bar since 15.07.2025, I am inclined to enlarge the applicant on bail as the investigation is complete and charge-sheet has been filed, subject to appropriate conditions. Hence the following order :

- (a) The application is allowed.
- (b) The applicant Pratik s/o Sanjay Naik in connection with Crime No.582 of 2025 registered with Frezarpura Police Station, Amravati District be released on bail on furnishing P.R. bond of Rs.50,000/- with one or two sureties in the like amount.
- (c) The applicant 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.
- (d) 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.
- (e) The applicant shall not commit similar type of

offence.

- (f) 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.

7. The observations are *prima facie* in nature and the Trial Court shall not be influenced by the same .

8. All Misc. application(s), pending if any, shall stands disposed of accordingly.

(M.M. NERLIKAR, J.)

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