



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

CRIMINAL APPLICATION [B.A.] NO. 75 OF 2026

Mr. Akash Sanjay Wadhai

-- VERSUS --

The 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. K.P. Mahalle, Advocate for the Applicant.

Ms. T.H. Udeshi, A.P.P. for the Non-applicant/State.

CORAM : M.M. NERLIKAR, J.

DATE : FEBRUARY 09, 2026.

Heard.

2. The present application is filed seeking regular bail in Crime No.218/2025 for the offence punishable under Sections 140(2), 3(5), 308(2), 308(5) of the Bharatiya Nyaya Sanhita, 2023 (BNS), registered with Police Station Padoli, District Chandrapur.

3. On 24/12/2025, at about 7:00 p.m., the complainant was contacted through his friend to meet an unknown person named Ketan on the pretext of property work. The said person demanded money and threatened the complainant. Thereafter, the Ketan forcibly took the complainant at gunpoint in a car to his residence at Rajura, threatened his wife on a gun point, and extorted Rs.18,50,000/- in cash

from the house. Subsequently, on the instructions of the Ketan, one Akash collected Rs.10,00,000/- from the complainant's house. Thereafter, he took complainant in a car and the accused further threatened the complainant to pay an additional amount after two days, failing which he would kill the complainant and his family. Due to fear and apprehension to life, the complainant later approached the police and based on this information F.I.R. came to be lodged.

4. The learned counsel appearing for the applicant submits that there are no allegations of extortion of any amount, however, the allegations are that the present applicant has gone to the house of one Shailesh, from whom the other co-accused have extracted the amount. He submits that he is not having knowledge about the said amount, whether it is of extortion or otherwise, and therefore, he is only the carrier of that amount and has no nexus with the alleged allegations of extortion. Therefore, he submits that he may be released on bail. He has relied on the order of this Court in the case of *Shridhar Vidyadhar Ghasti -VS- State of Maharashtra, 2021 SCC OnLine Bom 3268*.

5. On the other hand, the learned A.P.P. vehemently opposes the application and submits that the charge-sheet is yet to be filed and the

investigation is going on. The nexus between the main accused Ketan and Yogesh (unknown referred in F.I.R.) with applicant is yet to be established, and therefore, she submits that, admittedly, from the allegations in the F.I.R., the name of the present applicant surfaces, and the fact remains that the present applicant has collected the amount from the house of Shailesh. Therefore, she submits that as the investigation is going on, bail may not be granted. She further submits that material has been collected by the Investigation Officer in the nature of seizure of the mobile phone of the present applicant, wherein it appears that some messages have been deleted, and the mobile phone has been sent to the Forensic Science Laboratory (FSL).

6. I have considered the rival submissions. This Court in the case of ***Shridhar Vidyadhar Ghasti (supra)***, in identical sets of facts, wherein High Court has considered as under:-

“8. Learned counsel for the applicant submitted that the applicant had no knowledge that the amount that he was collecting from the complainant was extortion money. The said possibility cannot be ruled out at this stage, inasmuch as, there is no offence registered as against the applicant prior to the aforesaid case, much less, with the main accused Pravin Rawal.”

7. Even in this case, so far as the role of the present applicant is concerned, it is limited to the collection of the amount. However, as far as knowledge is concerned, it would only be established after the filing of the charge-sheet. From the perusal of the investigation papers, I do not find anything to suggest that the present applicant had knowledge that the amount collected was extorted. Therefore, the case at hand is similar to the case of the ***Shridhar Vidyadhar Ghasti (supra)***, and therefore, I am inclined to grant bail on imposing stringent conditions. Hence, the following order:-

ORDER

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

(ii) The applicant/accused (Mr. Akash Sanjay Wadhai) be released on regular bail in connection with Crime No.218/2025 registered with Police Station Padoli, District Chandrapur, for the offence punishable under Sections 140(2), 3(5), 308(2), 308(5) of the Bharatiya Nyaya Sanhita, 2023 (BNS), on his furnishing a P.R. bond of Rs.25,000/- (Twenty Five Thousand Rupees) with one solvent 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 applicant shall attend the local Police Station twice a month till the filing of the charge-sheet;

(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 or even trial Court *suo moto* take cognizance of this and cancel the bail;

(vi) 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;

(vii) Pending Misc. Application(s), if any, also stand disposed of.

8. 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.

[M.M. NERLIKAR, J]