



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

CRIMINAL APPLICATION (BA) NO. 149/2026

(Nagsen Bodhimanto 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. V.V. Pandey, Advocate (appointed) for applicant.
Mrs. Mayuri H. Deshmukh, APP for non-applicant/State.

CORAM: M. M. NERLIKAR, J.

DATED : 09/03/2026.

Heard.

2. By this application, the applicant is seeking bail in connection with Crime No.11/2024 registered with Police Station Gondia, Dist. Gondia for the offence punishable under Sections 307 and 120(B) of the Indian Penal Code and Section 3, 25 of the Arms Act.

3. In the First Information Report ("FIR"), it is alleged that on 11-01-2024 at about 11. a.m. two unknown persons fired bullets on one Lokesh Yadav due to unknown reasons. During the investigation, the applicant came to be arrested on 12.01.2024.

4. The learned counsel for the applicant submits that only allegation against the applicant is that he permitted two accused persons to reside at his house prior to the

commission of the offence and further allegation is that he has kept the vehicle of the accused at his house. He submits there are no allegations of attempt to murder against the applicant and only allegations is in respect of harboring the accused persons, therefore, he submits that considering the role played by the applicant and the fact that he is in jail since 12.01.2024 i.e. 2 years and the investigation is complete and charge-sheet is filed, he may be released on bail.

5. The learned APP submits that the applicant admittedly has permitted the accused persons to reside at his house, further the motor vehicle which was used in the crime was also recovered from the applicant and she submits that considering the nature of allegations that the main accused has used the firearm while committing the offence, the applicant though not directly connected with the main incident, but still he is also involved in the crime. The applicant had hatched conspiracy the the accused persons to commit the offence, therefore according to her, he may be not released on bail.

6. I have considered the rival submissions. Admittedly, from the entire papers of investigation and the charge sheet, it appears that the applicant has played limited role of harboring the accused persons. Further, the motorcycle used in committing the crime has been recovered at behest the of the applicant. It is further to be noted that the applicant was not present on the spot of incident. So far as the allegation regarding hatching of conspiracy is concerned, at present, I do not find any circumstances to substantiate the same. It is for the Trial Court to consider, whether the present applicant was involved in the conspiracy or not. Considering the role played by the applicant and that the applicant is in jail since 12.01.2024, the investigation is complete and charge sheet is filed, I am inclined to grant bail, hence the following order:-

ORDER

- (i) Criminal application is allowed and disposed of.
- (ii) The applicant/accused Nagsen Bodhimanto be released on bail in connection with Crime No.11/2024 registered with Police Station Gondia, Dist. Gondia for the offence punishable under Sections 307 and 120(B) of the Indian Penal Code and Section 3, 25 of the Arms Act 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.

(vi) The fees for appointed counsel be quantified and paid as per Rules.

(M. M. NERLIKAR, J.)