

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

CRIMINAL APPLICATION (BA) NO. 175/2026
 (Pradip S/o Rambhau Bawankule 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. S.V. Sirpurkar, Advocate for applicant.
 Mr. A. R. Chutke, APP for non-applicant/State.
 Mr. H. Dhage, Advocate assists to prosecution.

CORAM: M. M. NERLIKAR, J.

DATED : 26/02/2026.

Heard.

2. By this application, the applicant is seeking bail in connection with Crime No.654/2025 registered with Police Station Bramhapuri, Tal. Bramhapur, Dist. Chandrapur for the offence punishable under Sections 120(B), 294, 326, 342, 387, 506 of the Indian Penal Code read with Sections 39 and 44 of the Maharashtra Money Lending (Regulation) Act and Sections 143(1)(a)(f), 143(2) of the Bhartiya Nyaya Sanhita read with Sections 18 and 19 of the Transplantation of Human Organs and Tissues Act, 1994.

3. Brief facts of the prosecution story is that the informant who is an agriculturist R/o Minthur village-Nagbhid, Dist. Chandrapur is also engaged in dairy business. In the year 2021, he owned around 12 cattle.

During March 2021, there was an outbreak of lumpy skin disease among the cattle, consequently all his cattle became ill and most of them eventually died, causing him financial distress. Due to the said financial difficulties, on 02.02.2021, the informant borrowed an amount of Rs. 1,00,000/- from accused No. 1 in the F.I.R. No. 645/2025 that is Manish Ghatbandhe on interest which was supposed to be repaid within 15 days along with such interest. On 31/03/2021, he paid Rs. 15,000/- in cash towards the payment to the Accused No. 1. However, he was unable to repay the balance amount, the accused No. 1 abused and threatened him and imposed penal interest of 20% along with daily penalty of Rs. 5000/- Due to pressure exerted by accused No. 1, he borrowed money from several other persons i.e. accused No.2 Kishor Bawankule, accused No. 3 Laxman Urkude, accused No. 4 Pradip Rambhau Bawankule, the Applicant in this instance, accused No. 5 Satyawar Borkar and Accused No. 6 Sanjay Ballarpure. They all recovered amount from him which was approximately six times more than what was lent by improving excessive rate of interest. The said amount was recovered by the accused persons illegally from the

informant by assaulting him. Under pressure and fear, the informant was compelled to sell his kidney in Cambodia. Based on the aforesaid allegations, FIR came to be registered.

4. The learned counsel appearing for the applicant submits that this Court has already granted bail to two persons namely Laxman Pundalik Urkude in Criminal Application (BA) No. 92/2026 and Sanjay Ballarpure in Criminal Application in (BA) No.51/2026. He submits that there are similar allegations against the present applicant also. Therefore, he prays that the applicant is entitled for bail on the ground of parity. He submits that there are no allegations in respect of the transplant of the kidney of the informant, therefore the applicant cannot be implicated under Sections 18 and 19 of the Transplantation of Human Organs and Tissues Act, 1994. He therefore submits that now the entire investigation is over. The documentary evidence has been collected by the Investigating Officer, therefore nothing remains to be recovered from the present applicant, he be released on bail.

5. On the other hand, the learned APP and the learned counsel appearing for the informant vehemently oppose the application and submit that the applicant has given loan amount of Rs. 2,40,000/- to the informant and the applicant has recovered amount of Rs. 13,00,000/-. He further submits that not only that the landed property of 1.5 acre has also been transferred in the name of the present applicant. They further submit that the present applicant is not a licensed money lender. Inquiry was conducted by the District Deputy Registrar Cooperative Societies which report reveal that the applicant is involved in illegal money lending business, therefore submits that he may not be granted bail.

6. I have considered the rival submission. This Court has already released two accused persons on bail considering the allegations in the charge-sheet, The applicant is also standing on the same footing. The allegations are in respect of money lending. Admittedly, the role of the applicant is not in respect of the allegations of Transplantation of Human Organs. It further appears that the informant has borrowed amount from several persons. However, there is nothing to show that the applicant has

instigated the informant or aided him to sell the kidney or he is involved in kidney racket. In the absence of such material, the applicant would be entitled for bail. Hence the following order:-

ORDER

- (i) Criminal application is allowed and disposed of.
- (ii) The applicant/accused Pradip S/o Rambhau Bawankule be released on bail in connection with Crime No.654/2025 registered with Police Station Bramhapuri, Tal. Bramhapur, Dist. Chandrapur for the offence punishable under Sections 120(B), 294, 326, 342, 387, 506 of the Indian Penal Code read with Sections 39 and 44 of the Maharashtra Money Lending (Regulation) Act and Sections 143(1)(a)(f), 143(2) of the Bhartiya Nyaya Sanhita read with Sections 18 and 19 of the Transplantation of Human Organs and Tissues Act, 1994 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.

(M. M. NERLIKAR, J.)

Gohane