

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

CRIMINAL APPLICATION (BA) NO. 232/2026

(Kishor Rambhau Bawankude Vs. State of Maharashtra & anr.)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. V.N. Morade, Advocate for applicant.
Ms. S. Haider APP for non-applicant/State.

CORAM: M. M. NERLIKAR, J.

DATED : 09/03/2026.

Heard.

2. The applicant came to be arrested in connection with Crime No.654/2025 registered with Bramhapuri Police Station, District Chandrapur for the offence punishable under Sections 387, 342, 294, 506, 120-B of the Indian Penal Code, Sections 39 and 44 of the Maharashtra Money Lending (Regulation) Act. During investigation, offence under Sections 143 [1][a][f], 143[2] of the Bhartiya Nyaya Sanhita (BNS) and Sections 18 and 19 of the Transplantation of Human Organs and Tissues Act, 1994 were added.

3. It is the story of prosecution that, FIR is lodged by the informant Roshan Shivdas Kude, who is agriculturist, R/o. Minthur village Nagbhid, Dist. Chandrapur. The

informant alleged that, he is engaged in agricultural activities and dairy business. In the year 2021, he was owing about 12 cattle. However, during March-2021, there was an outbreak of lumpy skin disease among the cattle, as a result of which all his cattle became ill and most of the cattle eventually died, causing him financial distress. Due to said financial difficulties, on 02.02.2021 he borrowed an amount of Rs.1,00,000/- from accused No.1 Manish Ghatbandhe on interest and was to repay said amount within 15 days. On 31.03.2025, he paid Rs.15,000/- in cash towards interest to the accused No.1 Manish. As he was unable to repay the balance amount, the accused No.1 abused and threatened him and imposed penal interest @20% along with daily penalty. Due to pressure exerted by accused No.1, he borrowed money from several other persons including the present applicant. The present applicant is arrayed as accused No.2 and an amount of Rs.50,000/- was taken as a loan from him, however Rs.6,58,000/- was recovered from the informant. The said amount was recovered by the accused persons illegally from the informant by assaulting the informant and threatening to kill him and his family. Under the extreme

pressure and fear, the informant was compelled to sell his kidney abroad at Cambodia and that the accused persons benefited from the said act. Hence, this report.

4. The learned Counsel for the applicant submits that the only allegation against the present applicant is that he has given loan of Rs.50,000/- to the informant, and in turn the informant has returned him Rs.6,58,000/-. There are no allegations against the present applicant in respect of provisions either under Indian Penal Code or Transplantation of Human Organs and Tissues Act. It is submitted that co-accused in the matter Sanjay Vithaba Ballarpure, has been already enlarged on bail by this Court vide order dated 02.02.2026 passed in Criminal Application No.51/2026, and since the role played by the applicant is similar to that of Sanjay, he is also entitled to similar treatment.

5. On the other hand, the learned A.P.P. vehemently opposed the application by submitting that the applicant is engaged in the business of money lending without having a valid licence. The applicant is exploiting poor people by compelling them to pay exorbitant rate of interest by

taking advantage of their financial distress. There is very possibility that there might be a big racket of illegal money lending and organ selling. Considering the seriousness of the offence, the applicant does not deserve to be released on bail.

6. I have heard the rival submissions canvassed by the learned Counsel for the parties. So far as the allegations made in the first information report is concerned, loan advanced by the present applicant is to the tune of Rs.50,000/- and in turn the informant has paid Rs.6,58,000/-, however there is nothing to show that the said transaction had ever took place. From the contents of first information report, it is revealed that the informant has borrowed loan on interest from various persons, and he was required to repay the amount to the tune of Rs.48.53 lakhs, which he has paid to different persons, who are arrayed as accused in the present case. However, there is nothing to show that the applicant has encouraged him, instigated him or aided him to sell his kidney in Cambodia. Even from the material, which is made available on record, there is nothing to show that the present applicant is having any link with the organ

transplant. In view of this, I am inclined to grant the bail, hence following order:-

ORDER

- (i) Criminal application is allowed and disposed of.
- (ii) The applicant/accused Kishor Rambhau Bawankude be released on bail in connection with Crime No.654/2025 registered with Bramhapuri Police Station, District Chandrapur for the offence punishable under Sections 387, 342, 294, 506, 120-B of the Indian Penal Code, Sections 39 and 44 of the Maharashtra Money Lending (Regulation) Act. During investigation, offence under Sections 143 [1] [a][f], 143[2] of the Bhartiya Nyaya Sanhita (BNS) and Sections 18 and 19 of the Transplantation of Human Organs and Tissues Act, 1994 were added 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 entail the State to ask for cancellation of bail.

(M. M. NERLIKAR, J.)

Gohane