



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

CRIMINAL APPLICATION [B.A.] NO. 266 OF 2026

Akash Sadashiv Waghmare

-- VERSUS --

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.

Ms. Sunita Kulkarni, Advocate for the Applicant.

Mr. V.A. Thakre, A.P.P. for the Non-applicant/State.

CORAM : M.M. NERLIKAR, J.

DATE : MARCH 16, 2026.

Heard.

2. The present application is filed seeking regular bail in Crime No.536/2024 for the offence punishable under Sections 103(1), 3(5) and 111(2) of the Bharatiya Nyaya Sanhita, 2023, (BNS), registered with Police Station Dhantoli, District Nagpur.

3. The prosecution story is that, the Police Head Constable - informant Subhash, while on duty at Dhantoli Police Station, received information on 28/12/2024 that an unknown person is lying in an unconscious condition, with blood on his body on the cement road at Kumbhar Toli area. The informant with another police staff went to the spot and noticed an unknown person was lying in unconscious

condition with an injury on his chest by some sharp weapon. In the closed circuit television footage of the nearby Gopal Grocery shop, it revealed that 2 to 3 unknown persons seated in an auto rickshaw had assaulted the said injured person by a sharp weapon and pushed him out of the said rickshaw. Thereupon, the said injured person collapsed and thereafter died at the spot. On the basis of the said information, the FIR was registered on 28/12/2024

4. This Court, by order dated 23/02/2026, has granted bail to one co-accused Bhushan Ashok Thakare in Criminal Application [B.A.] No.157/2026.

5. The learned counsel for the applicant submits that the present applicant is similarly situated person. She submits that on the basis of parity, the applicant deserves to be granted bail. There was no test identification parade conducted, nor there is any material to show that persons, who have been seen in the C.C.T.V. footage are the same persons, against whom the charge-sheet is filed. Even there is no material on record to show that the applicant was seen in the C.C.T.V. footage and, therefore, considering the order of this Court she claims parity.

6. On the other hand, the learned A.P.P. submits that the accused persons have killed the

innocent deceased by stabbing. The auto rickshaw was seized in which the applicant along with others had taken the deceased. He further submits that the entire incident was captured in the C.C.T.V. footage and, therefore, the applicant does not deserve bail.

7. I have considered the rival submissions. I have also gone through the earlier order dated 23/02/2026 passed by this Court. It appears that the role played by the present applicant is similar to the co-accused, Bhushan Ashok Thakare, who has been granted bail by this Court. For the reasons recorded in the order dated 23/02/2026, on the ground of parity, the application is allowed by imposing stringent conditions. Hence, the following order:-

ORDER

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

(ii) The applicant/accused (Akash Sadashiv Waghmare) be released on regular bail in connection with Crime No.536/2024 for the offence punishable under Sections 103(1), 3(5) and 111(2) of the Bharatiya Nyaya Sanhita, 2023, (BNS), registered with Police Station Dhantoli, District Nagpur, 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 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;

(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 can *suo moto* take cognizance of this and cancel the bail;

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

[M.M. NERLIKAR, J]