



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

**CRIMINAL APPLICATION [BA] NO.301 OF 2026.**

Yogesh Ramesh Tonde

**-VERSUS-**

State of Maharashtra

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Office notes, Office Memoranda of  
Coram, appearances, Court's orders  
or directions and Registrar's orders.

Court's or Judge's Orders

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Shri S.S. Dhengale, Advocate for the Applicant.  
Shri A.A. Madiwale, A.P.P. for the Non-applicant/State.

**CORAM : M.M. NERLIKAR, J.**

**DATE : APRIL 15, 2026.**

Heard.

2. The applicant came to be arrested in connection with Crime No.204/2024 registered with Janephal Police Station, District Buldana for the offence punishable under Section 365 read with Section 34 of the Indian Penal Code. Charge sheet came to be filed and Sections 364, 302 and 120 (B) of the Indian Penal Code came to be added.

3. The first information report came to be lodged at the instance of Jyoti Dilip Ingle, wife of the deceased, alleging that her husband was working as 'Money Rain Pourer'. On 22.06.2024, he left the house

informing that he is going to Ahmednagar along with one Sandip Shewale, but, did not return till 27.06.2024. A missing report came to be lodged in that regard. On enquiry, it was revealed that husband of the informant was assaulted by 4-5 persons on the way to Kokandhan near SJS Hospital. His dead body was found at Rashin-Karjat, and therefore, the report.

4. This Court earlier by detail order has rejected bail application of the present applicant on merits, as well as on the ground of non-compliance of Section 47 of the BNSS. I have gone through the order passed on 16.04.2025 in Criminal Application (BA) No.191/2025.

5. The learned Counsel for the applicant submits that the Supreme Court has granted bail to one of the co-accused namely Bhushan Kharat. The learned Counsel has also relied on the order passed by this Court (Aruangabad Bench) in Criminal Appeal No.192/2024 dated 23.04.2024 in case of Lalit Satyanarayan Sharma .vrs. The State of Maharashtra and another, and submits that Bhushan Kharat was released on bail and therefore, the applicant is also entitled to be released on bail on the ground of parity.

6. It appears from the record that so far as role of Bhushan Kharat is concerned, it is entirely different, and it cannot be equated with the applicant.

7. So far as the order passed by the Aurangabad Bench of this Court in the case of Lalit Sharma is concerned, it is misconceived. It does not lay down any law however, therein bail was granted on parity. However, as observed above, role of Bhushan Kharat and present applicant cannot be equated, therefore, parity would not be applicable.

8. While scanning the entire material, this Court has not only touched the merits of the matter, but, also considered the material against the applicant. Further I do not find any substance in the submissions canvassed by the applicant, and therefore, not inclined to entertain the prayer made. Criminal Application is therefore, rejected.

**JUDGE**