



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

CRIMINAL APPLICATION [B.A.] NO. 302 OF 2026

Bhavnath Bharat Rangari

-- 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.

Mr. A.C. Jaltare, Advocate for the Applicant.

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

CORAM : M.M. NERLIKAR, J.

DATE : APRIL 06, 2026.

Heard.

2. The present application is filed seeking regular bail in Crime No.705/2024 for the offence punishable under Sections 103(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023, (BNS), registered with Police Station Chandrapur City, District Chandrapur.

3. As per the prosecution case, on 03/09/2024 at about 10:00 p.m., the informant accompanied the deceased Ashish Parsaram to the house of accused Sainath Rangari for recovery of alleged dues. It is stated that while the informant was waiting outside, he heard a commotion and upon entering the premises, he saw accused Sainath Rangari and Bhavnath Rangari allegedly assaulting

the deceased with an iron rod. When the informant attempted to intervene, they tried to attack him and as he was threatened and he left the spot to call for assistance. It is further stated that upon returning with others, the informant found the deceased lying in an injured condition. The deceased was then shifted to Government Hospital, Chandrapur, where he was declared dead during the course of treatment. The incident is stated to have occurred on account of a monetary dispute between the parties.

4. The learned counsel for the applicant submits that Sainath, who is the brother of the applicant, is also co-accused in the present crime who had taken Rs.500 from deceased Ashish and for that purpose Ashish used to abuse the applicant and his family. He further submits that Ashish is a history sheeter and there are several offences registered against him. He is Gunda and people have lodged cases against him as he used to extort money from them. He further submits that on the fateful day, i.e., 03/09/2024, at about 10:00 p.m., in the night said Ashish along with Sarvesh, who is the informant had came to the house of the applicant. They trespassed in the house and started abusing and assaulting Sainath. Due to this, the incident escalated and in that scuffle the applicant has given blow on the head

of Ashish and he succumbed to injuries, and therefore, the applicant was arrested immediately.

5. The learned counsel for the applicant submits that no doubt there are allegations against the applicant, so also, the post-mortem report shows that there are near about 7 injuries on the head of the deceased and the cause of death was shock and hemorrhage due to multiple injuries over head. It is Ashish who started the quarrel by trespassing in the house of the applicant, and therefore, considering the nature of allegations, and the fact that brother of the applicant – Sainath was also injured in the said incident, and therefore, according to him, considering the nature of allegations, he be released on bail.

6. On the other hand, the learned A.P.P. vehemently opposes the application and submits that there is direct evidence against the applicant. He submits that there are two eye witnesses. The informant is the eye-witness as well as there is one more eye-witness, they have specifically stated that, the applicant has given blow with the help of iron rod. He further submits that not only that he has also confessed the murder of the deceased to one of his friend namely, Pratik, and therefore, considering the gravity of the offence, according to the learned A.P.P., he may not be released on bail.

7. I have considered the rival submissions. I have also gone through the F.I.R. registered by Sarvesh on 04/09/2024, wherein apparently, it is stated that, on 03/09/2024, Ashish along with informant went to the house of applicant. They entered into the house and started abusing and quarreling with the applicant. It further appears that the brother of the applicant, namely, Sainath, who is also co-accused, has also sustained severe injury on his head and was required to be operated. As was argued by the learned counsel that, from the spot one Suttar and one iron rod was found, and therefore, according to him, that Suttar was brought by Ashish. It further appears from the record that, there are two eye-witnesses to the incident. Further, it appears that the said incident was narrated by the applicant to one of the witness, namely, Pratik, in the nature of extra-judicial confession. No doubt, there are serious allegations against the applicant. Even the said fact is followed by the injuries mentioned in the post-mortem report, however, one fact is crystal clear that, deceased-Ashish went to the house of the applicant and started abusing. It further appears that the said Ashish not only entered in the house of the applicant, but also assaulted Sainath which could be gathered from the injury certificate. The injury sustained by the Sainath seems to be serious and was required to be operated. It is further to be noted that the

applicant is behind bars since 04/09/2024 and till today no evidence has been led. Considering all these facts and circumstances, I am inclined to grant bail by imposing stringent conditions. Hence, the following order:-

ORDER

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

(ii) The applicant/accused (Bhavnath Bharat Rangari) be released on regular bail in connection with Crime No.705/2024 for the offence punishable under Sections 103(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023, (BNS), registered with Police Station Chandrapur City, District Chandrapur, 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.

8. The observations of this Court are *prima facie* in nature. The Trial Court shall not be influenced by the observations of this Court and the observations are restricted to this bail application only.

[M.M. NERLIKAR, J]