



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

CRIMINAL APPLICATION [B.A.] NO. 317 OF 2026

Dinesh Sinnu Pada and Others

-- 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. S.V. Sirpurkar, Advocate a/w. Mr. Uday Changle, Advocate
for the Applicants.

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

CORAM : M.M. NERLIKAR, J.

DATE : APRIL 09, 2026.

Heard.

2. The present application is filed seeking regular bail in Crime No.02/2025 for the offence punishable under Section 103(1) and Section 61(2) of the Bharatiya Nyaya Sanhita, 2023, (BNS), registered with Police Station Pendhari, District Gadchiroli.

3. The informant who is the son of the deceased has alleged that on 26/01/2025 at about 10:00 a.m., his father, Motiram Sonu Pada, aged 50 years, left home on a black Hero Splendor motorcycle bearing registration number CG-19 TS-1845 to go to the weekly market at Godalwahi. When he did not return home till night, enquiries were made with

villagers and relatives, but no information was received. On 27/01/2025, at about 6:30 p.m., Motiram Sonu Pada was found lying injured in a forest area about 2 km from the village and about 100 meters away from the Padaboriya–Godalwahi road, with bleeding injuries on his head. Based on these allegations, First Information Report came to be registered.

4. The learned counsel for applicants submit that merely on the basis of suspicion applicants came to be arrested. The case is based on circumstantial evidence. The allegations against applicants are that they hatched conspiracy to eliminate Motiram Pada. Accordingly, applicants hired one, Uttam Mandal, who is resident of Mayapur, Tah. Pakhanjur, District Kanker, Chhattisgarh. He further submits that the prosecution has failed to link present applicants with the alleged incident of murder of Motiram. There is no complete chain of events in order to show the involvement of present applicants. He further submits that the motive alleged against applicants is of business rivalry, and therefore, according to applicants, there is no material even to attribute the motive. It is further submitted that, this Court, by order dated 28/01/2026, in Criminal Application [B.A.] No.1003/2025, has already released accused, namely, Uttam Mandal. He has

invited my attention to the observations of this Court in Paragraph No.6 of the said application, and accordingly, he submits that, when there is no complete chain of circumstance established by the prosecution to connect applicants they cannot be said to be involved in serious crime of murder, and therefore, he submits that the applicants be released on bail.

5. On the other hand, the learned A.P.P. vehemently opposes the application and submits that applicants have given contract to kill deceased – Motiram to Uttam Mandal, resident of Mayapur, Chhattisgarh. For this purpose, the learned A.P.P. has relied on the statement of one Amit Halder, wherein he has stated that all these applicants went to Mayapur and they have informed that the deceased was causing trouble to them and they will have to do something about it. Accordingly, the applicants asked Amit, about anyone who can teach lesson to deceased – Motiram, and accordingly, Amit has suggested name of Uttam Mandal, and accordingly, all these four accused persons met Uttam Mandal and there was discussion between them. The learned A.P.P. further invited my attention to the statement of one child witness, who has stated that, three persons come to Mayapur searching for Uttam Mandal, and accordingly, she has shown the house of Uttam

Mandal. He has further invited my attention to various statements. In one of the statement, recorded on 05/03/2025 of one Dipkishore Chaudhari, goes to show that the amount of Rs.1,20,000/- was deposited by Uttam Mandal with the Mahindra Finance Company on 28/01/2025. The learned A.P.P. submits that, the deceased was missing from 26/01/2025, and accordingly, the dead body was found on 27/01/2025 at about 06:30 p.m., and therefore, the event of Uttam Mandal depositing amount of Rs.1,20,000/- in the account of Mahendra Finance Company on 28/01/2025 is crucial and he has heavily relied on the statement of one, Kusan Rajuram Kirko, recorded on 10/02/2025, which shows that one of the accused, namely, Dinesh, met two persons who were on scooty with their faces masked, and that the accused Dinesh handed over a bundle of cash to them. The said handing over of the amount took place on 27/01/2025, and therefore, the learned A.P.P. submits that, there is more than sufficient evidence against applicants. He has also invited my attention to the C.D.R. report to vehemently submit that accused persons and contract killers were in touch with each other, and therefore, according to the learned A.P.P., there is more than sufficient evidence and bail may not be granted.

6. I have considered the rival submissions. I have seen the observations of this Court in its order dated 28/01/2026 passed in Criminal Application [B.A.] No.1003/2025, in the case of Uttam s/o Bimal Mandal, wherein accused-Uttam Mandal has been granted bail by this Court. I have also perused the First Information Report as well as the entire material. Admittedly, the F.I.R. was registered on 27/01/2025 by the son of the deceased, namely, Sukhdeo. It further appears that, initially, on 26/01/2025, the deceased went missing and on the next date around 06:30 p.m., the dead body was found. It further appears that, the cause of death is “traumatic injury to head leading to intracranial Haemorrhage on right side of parieto occipital region of head causing sudden death.” According to prosecution, bamboo sticks have been used as weapon to kill the deceased. After perusal of the relevant statements, admittedly, it appears that, though statements are recorded after 13-14 days, however, there is no explanation for delay in recording those. Further, it is to be noted that the entire case is based on circumstantial evidence. The circumstances in the nature that applicants were present at village Mayapur in the State of Chhattisgarh where Uttam Mandal is residing. It is to be noted that somewhere before three and half months, these applicants have visited that place for

two times in the month of September/October as well as November/December. Admittedly, the death was in the month end of January. Perusal of the statement of Amit and Sujata, shows that applicants went to Mayapur and they met Uttam Mandal, and accordingly, there was meeting with Uttam Mandal, however, what happened in that meeting is not clear from these statements. It is further to be noted that when these meeting had taken place whether in the month of September/October or November/December is not clear from the statement of Amit. The statement of said Amit was recorded on 12/02/2025, which is much after the registration of the F.I.R. as well as after the arrest of the applicants. Admittedly, it appears that, there were business transactions between Uttam Mandal as well as the present applicants. Even while scanning the material, this Court has observed in its order dated 28/01/2026, in Criminal Application [B.A.] No.1003/2005, in the case of Uttam s/o Bimal Mandal, as under:-

“6. Upon hearing the learned counsel for the applicant and the learned A.P.P., admittedly, it appears that death of Motiram Pada is a homicidal death which can be gathered from the post-mortem report, wherein the cause of death was shown as “due to traumatic injury to head heading to intracranial haemorrhage on right side of parieto occipital region of head causing

sudden death". So far as column No.17 is concerned, there appears to be 4 injuries on the body of the deceased including the lacerated wound over right parieto occipital region of scalp of size 8x6x4 cm deep wound bleeding. The only question is whether the present applicant can be connected with the murder of deceased Motiram. As was submitted by the learned counsel appearing for the applicant that there are old business relations between the accused Nos.1 to 4 and the present applicant, which would be revealed from the CDR report itself. The only material which is collected by the Investigating Officer are the CDR's which goes to show the tower location of the mobile phone of accused Nos.1 was shown in the Padaboria jungle, however, whether the present applicant was carrying the said mobile or not is not clear from the material placed before me. Further, it is to be noted that as there are business relations between the accused Nos.1 to 4 and present applicant, it is but natural that there is every possibility that the amount was deposited by the applicant from that business transaction, however, there is no evidence to show that there was a conspiracy and the contract of killing was given by the accused Nos.1 to 4 to the present applicant. Considering the above nature of evidence which is placed before me, it appears that applicant was arrested on 28/02/2025, now the investigation is complete and the charge-sheet is filed, and therefore, I am inclined to grant bail and to

secure the presence of the present applicant stringent conditions are put in. ”

7. Therefore, considering the above observations and the materials placed before me, I find that under the circumstances which are pointed out by the learned A.PP, it is very difficult to connect applicants with the alleged crime. It is further to be noted that the persons those who met with Dinesh on 27/01/2025 in order to collect the amount on scooty, they had masked their faces, therefore, whether these masked persons are the same persons, i.e., Uttam Mandal and Vinod Mandal, it is not clear from any of the material which is placed before me, and therefore, it is very difficult to link the said episode of handing over the amount by Dinesh. It is further to be noted from CDR reports, the location of accused – Vinod Mandal on 27/01/2025 was at Yogendra Nagar, whereas statement of Kusan Rajuram Kirko shows that accused-Dinesh has handed over amount at village Pustola to Vinod Mandal and Uttam Mandal. Therefore, under such circumstances, it cannot be said that there is clinching material available against applicants. Under such circumstances, in my opinion, the prosecution has not brought sufficient material to keep applicants behind bars. Admittedly, applicants are behind bars since 02/02/2025, more than one year has lapsed, I am

inclined to grant bail by imposing stringent conditions. Hence, the following order:-

ORDER

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

(ii) The applicants/accused (i) Dinesh Sinnu Pada, (ii) Kaliram Mannu Madavi, (iii) Rama Ramji Pada, and (iv) Manu Dallu Pada, be released on regular bail in connection with Crime No.02/2025 for the offence punishable under Section 103(1) and Section 61(2) of the Bharatiya Nyaya Sanhita, 2023, (BNS), registered with Police Station Pendhari, District Gadchiroli, on their furnishing a P.R. bond of Rs.50,000/- (Twenty Five Thousand Rupees) each with two solvent sureties 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 their residential address and cell number to Police Station concerned and shall not change their place of residence without prior intimation to the Investigating Agency;

(v) The accused shall attend each and every date of trial regularly. If they fails to attend the trial for two consecutive dates, or fails to comply with the aforesaid conditions, their 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]