

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

CRIMINAL APPLICATION NO.331 OF 2026

Pranit @ Bunty s/o Prabhakar Gedam

..vs..

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

Shri C.R. Thakur, Advocate for the applicant.

Shri A.R. Chutke, APP for the State.

CORAM: M.M. NERLIKAR, J.

DATE : 26.03.2026.

Heard.

2. By way of this application, the applicant is seeking bail in connection with Crime No.158 of 2025 registered with Bhadrawati Police Station, District Chandrapur for the offence punishable under Sections 103, 332(a), 189(2), 189(4), 191(3), 190 and 249 of the Bharatiya Nyaya Sanhita (BNS), 2023.

3. The FIR came to be lodged by the mother of the deceased. It is alleged that on 28.03.2025 in the evening, the applicant along with others went to the house of the informant and assaulted Amar and others, in which Amar succumbed to the injuries.

4. Learned Counsel for the applicant submits that there was previous enmity between the accused persons and the informant's family and quarrel always took place between them. Therefore, on 28.03.2025, the alleged incident took place. It is submitted that in the entire FIR, there is no mention of name of the applicant by the mother of the deceased. In the supplementary statement

which was recorded on the next day, i.e. on 29.03.2025, the name of the applicant was taken and he was therefore arraigned as an accused. However, the only role which was attributed to the applicant is of giving fist and kick blows to the deceased. Even eye-witnesses to the said incident also have not stated about the role of the applicant except supra. The statements of the eye-witnesses were recorded on 04.04.2025 i.e. much after the incident. It is also pointed out that this Court vide order dated 23.01.2026 has granted bail to one co-accused Prabhakar Gedam whose role was much grave than the present applicant and therefore considering the role played by the applicant, he may be enlarged on bail.

5. On the other hand, learned APP appearing for the State vehemently opposed the application on the ground that the applicant has played active role in the entire episode as he was part and parcel of the unlawful assembly and he was present on the spot of the incident. The deceased was killed brutally by all accused persons, therefore, the role of the applicant could not be segregated considering Section 189(4) of the BNS. There are also eye-witnesses to the said incident who have taken the name of the applicant and stated his participation in assault with the help of a knife and an axe, and as he is equally responsible for the entire incident and for the death of the deceased, therefore, the application deserves to be rejected.

6. I have considered the rival submissions and perused the record. It appears that in the FIR there name of the applicant is not mentioned however in the

supplementary statement the mother of the deceased has taken the name of the applicant, however no specific role is attributed to the applicant except he has given fist and kick blows to the deceased. Even other statements are also on the same line. It appears that co-accused Prabhakar Gedam has been released on bail. Considering the role played by the applicant and that the investigation is complete and charge-sheet is filed, I am inclined to grant bail on certain terms and conditions. Hence, the following order :

- (a) The application is allowed.
- (b) The applicant Pranit @ Bunty s/o Prabhakar Gedam in connection with Crime No.158 of 2025 registered with Bhadrawati Police Station, District Chandrapur be released on bail on furnishing P.R. bond of Rs.25,000/- with one surety in the like amount.
- (c) The applicant 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.
- (d) The applicant 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.
- (e) The applicant shall not commit any similar type of offence.
- (f) The applicant 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.

7. The observations are *prima facie* in nature and the Trial Court shall not be influenced by the same .

8. All Misc. application(s), pending if any, shall stands disposed of accordingly.

(M.M. NERLIKAR, J.)

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