



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

CRIMINAL APPLICATION [B.A.] NO. 337 OF 2026

Ansh S/o Deepak Kamble

-- 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. A.G. Mate, A.P.P. for the Non-applicant/State.

CORAM : M.M. NERLIKAR, J.

DATE : MARCH 27, 2026.

Heard.

2. The present application is filed seeking regular bail in Crime No.868/2025 for the offence punishable under Sections 103(1), 115(2), 61(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023, (BNS), and Sections 4 and 25 of the Arms Act, 1959, registered with Police Station Saoner, District Nagpur (Rural).

3. The First Information Report came to be lodged by the informant Ram Gautam. It is alleged that on 19/09/2025, due to a dispute arising out of interaction with Tanu, the informant was called by Jeetu Rawat to meet him. Earlier, Jeetu Rawat had abused and assaulted the complainant outside the factory around 06:00 p.m. Further, around 08:30

p.m., when the informant along with friends, including deceased Karansingh, went to meet Jeetu Rawat, a quarrel took place between them. During the altercation, Jeetu allegedly instigated his friend to assault, pursuant to which one of the co-accused stabbed Karansingh on chest and abdomen. The injured was taken to the Hospital where he was declared dead. Hence, the report was lodged against accused persons.

4. The learned counsel for the applicant submits that there is no overt act on the part of the applicant. He further submits that both Jeetu and the informant were having a love affair with the same girl, and on account of that, the quarrel started. Both sides brought persons to confront each other, however, the said Jeetu asked Ankit to take out a weapon, and accordingly, the said Ankit inflicted blows on Karan. He submits that except these allegations, there are no allegations against the applicant. He has only accompanied the group of accused No.1, and therefore, he submits that even after considering the entire charge-sheet, no overt act has been attributed to the applicant, and therefore, he be released on bail.

5. On the other hand, the learned A.P.P. vehemently opposes the application and submits that accused No. 1, along with the said co-accused, came

to the spot prepared. They were having a knife. He submits that the main accused, Jeetu, who is accused No. 1, asked co-accused Ankit to take out a knife, and accordingly, Ankit took out the knife and inflicted blows on Karan, who is a friend of the informant. Accordingly, he submits that the role of accused persons cannot be separated in view of the fact that they all came with a common intention. He submits that though the specific role is attributed to Ankit and Jeetu, however, as the applicant accompanied accused No. 1, it cannot be said that he was not having intention to commit the crime. There are statements of eye-witnesses who testify that applicant was present on the spot. The applicant was also identified in the Identification Parade, and therefore, he submits that there is ample evidence against the applicant.

6. I have considered the rival submissions. It is not in dispute that the deceased - Karan died due to stab injury to the abdomen, which could be gathered from the post-mortem report. It is further to be noted that on 19/09/2025, initially, Jeetu, accused No.1, went to the factory at about 06:00 p.m., where he slapped the informant. Annoyed by this, the informant asked him to come at the spot of incident after one hour, and accordingly, accused No.1 – Jeetu went to the spot of incident along with three friends.

At the spot of incident, the informant slapped accused No.1 – Jeetu, due to which a scuffle started between both the groups. At that time, accused No.1 Jeetu asked Ankit to take out weapon, and accordingly, the weapon was taken out by Ankit. Karan was holding Ankit at the relevant time, and therefore, Ankit has inflicted blows on Karan, due to which Karan died. After going through the entire First Information Report as well as the statements of witnesses, *prima facie*, it appears that, the applicant has not played any role in the entire scuffle. Even there is no overt act on the part of the applicant. It appears that he has only accompanied accused No.1, except this, there are no allegations of assault on Karan by the applicant. Under such 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 (Ansh S/o Deepak Kamble) be released on regular bail in connection with Crime No.868/2025 for the offence punishable under Sections 103(1), 115(2), 61(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023, (BNS), and Sections 4 and 25 of the Arms Act, 1959, registered with Police

Station Saoner, District Nagpur (Rural), 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]