



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

CRIMINAL APPLICATION [B.A.] NO. 501 OF 2026

Hemant Chaitnayeshwar Bagade

-- 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. Gaajendra G. Saaaji, Advocate for the Applicant.

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

CORAM : M.M. NERLIKAR, J.

DATE : MAY 06, 2026.

Heard.

2. The present application is filed seeking regular bail in Crime No.597/2025 for the offences punishable under Sections 103(1), 352, 62 and 3(5) of the Bharatiya Nyaya Sanhita, (BNS) 2023, Sections 4 and 25 of the Indian Arms Act, 1959, Sections 135 of the Maharashtra Police Act, 1951, registered with Police Station Ganeshpeth, District Nagpur.

3. The informant - Pranali Gautam Khobragade has lodged the First Information Report alleging that on 25/11/2025 the informant received a call from the mother of deceased - Aman that her son has been assaulted and he is taken to the Medical

Hospital. When the informant reached the hospital she came to know that the son of her maternal aunt was assaulted by the friend of the applicant. On enquiry with co-accused, informant came to know that deceased was persistently insisting the co-accused for marriage. Therefore, when the deceased was called on the spot, at that time, during the quarrel one of the co-accused namely Amit assaulted the deceased by knife. Thereafter, the applicant along with other co-accused took the injured to the Medical Hospital where he died during treatment, and therefore, F.I.R. came to be registered.

4. The learned counsel for the applicant submits that, this Court, by order dated 23/04/2026, has granted bail to one of the co-accused, namely, Tejaswini Jagan Kawale in Criminal Application [B.A.] No.479/2026. He submits that the role assigned to Tejaswini is graver than the present applicant. This Court, after scanning the material has given detailed reasons in Paragraph No.6 of the order dated 23/04/2026. All those observations would also be applicable to the present applicant, and therefore, he submits that, parity be extended to the present applicant also. He submits that the applicant was only present on the spot, however, Amit has inflicted blow on the deceased-Aman abruptly and there is no

overt act on part of applicant. On the contrary, the present applicant and Tejaswini have taken deceased- Aman to hospital. Therefore he submits that, considering the nature of allegations, he be released on bail.

5. On the other hand, the learned A.P.P. concedes to the fact and submits that the applicant is having lesser role than Tejaswini, in fact, Tejaswini is the main accused who hatched the conspiracy and called Amit to eliminate deceased – Aman. All three accused persons came on the spot and Amit gave blow to the deceased – Aman.

6. I have considered the rival submissions. The learned A.P.P. fairly admits the fact that the role attributed to the present applicant is similar to that of Tejaswini, wherein she was granted bail on 23/04/2026. In Paragraph No.6, this Court has given detailed reasons for releasing Tejaswini on bail, and therefore, same observations would be applicable, and accordingly, for the same reasons, 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 (Hemant Chaitnayeshwar Bagade) be released on regular bail in connection with Crime No.597/2025 for the offences punishable under Sections 103(1), 352, 62 and 3(5) of the Bharatiya Nyaya Sanhita, (BNS) 2023, Sections 4 and 25 of the Indian Arms Act, 1959, Sections 135 of the Maharashtra Police Act, 1951, registered with Police Station Ganeshpeth, District Nagpur, on his furnishing a P.R. bond of Rs.50,000/- (Fifty Thousand Rupees) 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 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 one single date, or fails to comply with the aforesaid conditions, his default would entail the State to ask for cancellation of bail;

(vi) The above observations are *prima facie* in nature, and restricted for the purpose of deciding this application. The Trial Court shall not get itself influenced by said observations, during the course of trial.

(vii) Pending Misc. Application(s), if any, also stand disposed of.

[M.M. NERLIKAR, J]