

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

CRIMINAL APPLICATION (BA) NO. 520/2026

(Mithun Vitthal Shirsat 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

Mr. D. V. Lahoti, Advocate for applicant.
Ms. S. Haider, APP for non-applicant/State

CORAM: M. M. NERLIKAR, J.

DATED : 05/05/2026.

Heard.

2. By this application, the applicant is seeking bail in connection with Crime No.188/2024 registered with Police Station Karanja City, Dist. Washim for the offences punishable under Sections 302, 34 of the Indian Penal Code.

3. The brief facts of the prosecution story are that the first information report was lodged by Dinkar Meshram on 01/03/2024 alleging that there were previous disputes between informant's brother – victim and one Premdas Bhagat over removal of government hand-pump and insertion of motor-pump for his personal use. Over this issue, Premadas and his wife held grudges against the informant's younger brother. Even report was also lodged

when death threats was given.

On 01/03/2024 around 02.30 pm the informant received a call, wherein he was informed that his brother was stabbed when the informant was working at Tehsil Office Karanja. When he reached at the hospital, he was informed that his brother has succumbed to the injuries, he noticed injuries marks on the neck of the deceased. Based on these allegations, first information report was lodged.

4. The learned counsel for the applicant submits that there is no connection of the applicant with the alleged crime of murder. He submits that the applicant has been falsely implicated in the crime. The statement of eye-witness shows that the assailant was wearing yellow shirt and his face was masked with black handkerchief. He submits that as there was no test identification parade conducted, the applicant cannot be implicated in the crime, as his face covered with black handkerchief. He was not identified in the test identification parade. Therefore he submits that he be released on bail as the applicant is in Jail since 01/03/2024.

5. On the other hand, the learned APP has invited my attention to the CCTV footage and submitted that the applicant is the main assailant who has inflicted blows with the help of knife. She has invited my attention to the Postmortem Report, wherein there was stab injuries over right side of neck i.e. 3 x 1.5 cm and 7.00 cm depth. She submits that the applicant assaulted with the help of knife and this was seen by witnesses and accordingly, she has invited my attention to the statement of eye-witnesses, wherein it is specifically stated that one person wearing a yellow shirt and his face was masked with black handkerchief assaulted the deceased with the help of knife. Due to this, the deceased succumbed to the injuries. She further submits that there is also recovery of knife at the behest of the applicant, therefore considering the direct involvement of the applicant, the applicant does not deserve to be granted bail.

6. I have considered the rival submissions. It appears from the CCTV footage that when the applicant and one absconding accused on 01/03/2024 seen chit-chatting with each other in front of the Tehsil Office. The present applicant was wearing a yellow shirt and thereafter, he

entered into the Tehsil Office premises by masking his face with black handkerchief. After entering, he went to the deceased and gave a blow with the help of knife which could be gathered from the statements of the eye-witnesses, wherein witnesses stated that one person who was in yellow colour shirt and his face was masked with black colored handkerchief inflicted blow on the deceased with the help of knife. There is direct evidence against the applicant in the nature of CCTV footage and testimony of eye-witness and further is proximity between the time shown in the CCTV footage and the incident. The role of assault on the deceased is clearly attributed to the applicant and therefore, considering the direct involvement of the applicant, I am not inclined to grant bail, hence the application is rejected.

(M. M. NERLIKAR, J.)