

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

CRIMINAL APPLICATION (BA) NO. 521/2026

(Prashant Alias Lokesh Chhunnulal Kawale 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. A. N. Rangari, Advocate for applicant.
Ms. S. N. Thakur, 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. 453/2025 registered with Police Station Rawanwadi, Dist. Gondia for offences punishable under Sections 103(1),3(5), 238 of the Bharatiya Nyaya Sanhita read with Sections 4 and 25 of the Arms Act.

3. The learned counsel for the applicant submits that co-accused namely Kamesh alias Chhunilal Kawale has been released on bail by this Court on 15/04/2026 by passing a detailed order in criminal application No. 379/2026. He submits that all the circumstances are taken into consideration while granting bail to Kamesh, therefore, the applicant is also entitled for grant of bail as

the role attributed to the applicant is similar to Kamesh. He submits that the only difference is the recovery of sword at the behest of present applicant under Section 23 of the Bharatiya Sakshya Adhiniyam ('BSA'). The recovery of sword cannot be believed for the reason that it was made from an open space and therefore, the applicant be released on bail on the ground of parity.

4. On the other hand, the learned APP though concedes this fact that the role attributed to the applicant and Kamlsh are similar, however, she submits that so far as the applicant is concerned, there is recovery of sword at his behest, therefore according to her, the applicant does not deserve to be granted bail.

5. I have considered the rival submissions. This Court by an order dated 15/04/2026 in Criminal Application No 379/2026 by giving detailed reasons, has granted bail to Kamesh. There was recovery of iron rod attached to motorcycle, at the behest of Kamesh, whereas so far as the applicant is concerned, there is recovery of sword at his behest from the jungle under Section 23 of the BSA. It is further to be noted that there is no blood stains on the sword. So far as the rest of the circumstances

are concerned, those are already narrated in the reasoning at para 6 of the order dated 15/04/2026. Adopting the same reasoning, I am inclined to grant bail to the applicant, hence the following order:-

ORDER

- (i) Criminal application is allowed and disposed of.
- (ii) The applicant/accused Prashant Alias Lokesh Chhunnulal Kawale be released on bail in connection with Crime No. 453/2025 registered with Police Station Rawanwadi, Dist. Gondia for offences punishable under Sections 103(1),3(5), 238 of the Bharatiya Nyaya Sanhita read with Sections 4 and 25 of the Arms Act on his furnishing P.R. Bond of Rs. 25,000/- with one 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 concerned Police Station and shall not change his place of residence without prior intimation to the concerned Investigating Officer.
- (v) The applicant/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.

6. The observations of this Court are prima facie in nature and are only limited to this application. The Trial Court shall not be influenced by the aforesaid observation.

(M. M. NERLIKAR, J.)

Gohane