



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

CRIMINAL APPLICATION [BA] NO.603 OF 2026.

Saurabh Dinesh Tiwari.

-VERSUS-

State of Maharashtra.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri A.S. Shukla, Advocate for the Applicant.
Shri U. Phasate, A.P.P. for the Non-applicant/State.

CORAM : M.M. NERLIKAR, J.

DATE : JUNE 10, 2026.

Heard.

2. The applicant came to be arrested in connection with Crime No.187/2026 registered with Gittikhadan Police Station, Nagpur for the offence punishable under Sections 109, 189, 190, 191[2], 191[3], 324[2], 333, 351[3], 352 of the Bharatiya Nyaya Sanhita, 2023 (BNS), read with Sections 4 and 25 of the Arms Act and Section 135 of the Maharashtra Police Act.

3. The first information report was lodged by one Suresh Chavhan, alleging that on 23.03.2026 some

unidentified persons came to his house and asked whereabouts of his son Atul. Later on accused persons along with others came to his house armed with weapons to kill his son, however, his son was not present in the house and therefore, they damaged items in the house. They also assaulted the informant with the help of an axe and sword, because of which he sustained injuries, and threatened him of dire consequences. Hence the report.

4. The learned Counsel for the applicant submits that only on the basis of the statement of co-accused, present applicant was implicated in the crime. There is neither test identification parade conducted, nor any other evidence to connect the applicant with the alleged crime, therefore, he prays for release of the applicant on bail.

5. On the other hand the learned A.P.P. vehemently opposed the application by submitting that investigation is still going on and applicant has committed a serious offence. During the course of investigation, name of the applicant has surfaced on record and therefore, he was made accused in the crime. It is submitted that since investigation is in progress,

the applicant may not be released on bail.

6. I have considered the rival submissions and perused the case diary. Apparently it appears from the same that the first information report was registered on 24.03.2026 by one Suresh Chavhan alleging that accused persons entered his house and created ruckus. It further appears that in the said first information report three persons have been named and others are not named, but their presence is shown. Prima facie it appears that it is only on the basis of statement of the co-accused, the present applicant has been implicated. There is no evidence to connect the applicant. Further it is to be noted that no test identification parade is conducted till date, though the offence is registered on 24.03.2026. In such circumstances, merely on the basis of statement of co-accused, present applicant cannot be kept behind bars. Hence, the following order.

ORDER

- (i) Criminal Application is allowed and disposed of.
- (ii) The applicant – Saurabh Dinesh Tiwari be released on regular bail in connection with

Crime No.187/2026 registered with Gittikhadan Police Station, Nagpur for the offence punishable under Sections 109, 189, 190, 191[2], 191[3], 324[2], 333, 351[3], 352 of the Bharatiya Nyaya Sanhita, 2023 (BNS), read with Sections 4 and 25 of the Arms Act and Section 135 of the Maharashtra Police Act on his furnishing P.R. Bond of Rs.50,000/- with two sureties in the like amount.

- (iii) The accused shall not enter within the territorial jurisdiction where the informant is residing, till the completion of the trial.
- (iv) 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.
- (v) The accused shall provide his residential address and cell number to the Police Station concerned and shall not change his place of residence without prior intimation to the Investigating Agency.
- (vi) 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.
- (vii) 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.

- (viii) Misc. Applications, if any, are also disposed of.

JUDGE