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MHNG010068342026



Presented on	: 10.06.2026
Registered on	: 10.06.2026
Decided on	: 03.07.2026
Duration	: 23 Days.

***IN THE COURT OF THE DISTRICT JUDGE-15
AND THE ADDITIONAL SESSIONS JUDGE,
NAGPUR***

(Presided over by Brahmanand M. Dhanure)

***Criminal Bail Application No.1774 of 2026
(Regular Bail)***

Pradeep Sharma

APPLICANT/ACCUSED

- VERSUS -

The State of Maharashtra,
Through Police Station Officer,
Police Station Kalmeshwar,
District - Nagpur.

NON-APPLICANT/STATE

Appearances:

For the Applicant: Ld. Advocates Shri. A. S. Manohar
along with R. R. Deo.

For the State: Ld. DGP/APP Shri. Nitin Telgote.

***Application for Regular Bail under Section 483
of the Bharatiya Nagarik Suraksha Sanhita,
2023.***

ORDER

(Passed on July 3rd, 2026)

1. The applicant/accused has filed the present application under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (In short 'BNSS') seeking bail, in connection with Crime No.0228/2026 registered with Kalmeshwar Police Station, District Nagpur (Rural) on 01.03.2026 alleging commission of offences punishable under Sections 105, 106(1), 125 (A), 125 (B), 288 of the Bharatiya Nyaya Sanhita, 2023 (In short BNS) and under Sections 41 (C)(G)(H) and 92 of the Companies Act, 1948.

Prosecution case may be summarized as under:

2. On 01.03.2026, an FIR registered on the basis of a report lodged by the police personnel- Manoj Kalbande, a police inspector at Kalmeshwar Police Station, at the relevant time. It is alleged that he received the information on the day of fateful incident of the explosion occurred in SBL Company. The informant along with other police staff reached the spot and initially noticed that 17 workers died and

twenty four others were severely injured in the said explosion incident. Initially, the accidental death case was registered. However, during the course of inquiry of the cause of the explosion, he made communication to the Deputy Controller of Explosives, Nagpur and also the Directorate of Industrial Safety and Health (DISH). Both the authorities pointed out multiple defects/deficiencies including safety deficiencies and the report regarding probable cause of death. On the basis of said reports, causes and deficiencies, the Crime bearing FIR No0228 of 2026 dated 01.03.2026 registered against officials of the SBL company for said incident who are allegedly responsible.

Submissions of the learned Advocate for the Applicant/ Accused:

3. The applicant is an innocent person. He is not an occupier of the company. He is in jail since the date of arrest i.e., 02.03.2026 nearly for 4 months. The grounds of arrest were not informed to the

applicant. The applicant is a General Manager of the SBL company. The report is silent on the role of the applicant. The role, intention and knowledge of the applicant can be ascertained during trial after the evidence. In so far as the ingredients of Section 105 BNS are concerned, it is a matter of trial. The applicant is not involved in day-to-day functioning of the packaging unit, and he has no role and duty.

4. It is further submitted that the investigation is complete and charge-sheet is also filed. No purpose would be served now by keeping the applicant behind the bars. The applicant is entitled for bail on the ground of parity also. One of the co-accused to whom the Hon'ble Supreme Court granted bail. The prosecution opposed the bail application on three grounds. However, stringent conditions may be imposed. The applicant would abide each condition. The applicant has roots in the society having immovable and movable properties and the risk of

flight would not arise. Nothing is remained to be investigated and recovered from the accused/applicant. Considering the peculiar facts and the role of the applicant, he may be released on bail imposing stringent conditions.

Submissions of the learned DGP/APP for the State:

5. The learned APP filed a say/reply (Exhibit-4) and strongly opposed the application. The reply/say indicates that the applicant is responsible of lost of life of labours. The applicant is being the manager is responsible and reckless in his duty and therefore such incident occurred. The charge-sheet indicates specific role of each accused and their recklessness and gross negligence. The reports of the Competent Authority consistently show the recklessness and gross negligence at the instance of the applicant. The report of the competent authority shows that even prior to incident there were several deficiencies

pointed out by it has not been complied. Notice was issued on 21/6/2024 to the SBL company and even thereafter, they have not complied with the said safety provisions. As on today, several complaints filed against the SBL Energy Limited, for non-compliance of the safety measures. It is further submission of the Ld. DGP that the present applicant is an influential person, if he is enlarged on bail, there is every possibility of tampering of evidence, influencing the witnesses and, therefore, considering overt act attributed to the applicant and prima-facie case is made out under alleged sections urged for rejection of an application.

Analysis and Consideration:

6. I have heard the learned Advocate for the applicant and the learned DGP/A.P.P. for the State. Perused the record of the case along with the application for bail, say/reply (Exhibit-4) filed by the Ld. DGP/APP. So also, I have heard the Investigating

Officer.

7. At the outset, the main ground on which bail is sought is the parity inasmuch as accused No.2 is enlarged by the Hon'ble Supreme Court. The Hon'ble Supreme Court while granting bail in **SLP (Cri) No.8263/2026** to co-accused observed as under:

“It is unfortunate that several lives have been lost due to negligence. However, one has to take into consideration the nature of the charges involved. We are dealing with a case of bail. Admittedly, investigation qua the appellants is over. Suffice it is to state that their continued incarceration may not be required. In such view of the matter, we are inclined to grant bail to the appellants. Accordingly, the impugned order(s) is set aside qua the

appellants and the appellants are granted bail on terms and conditions to the satisfaction of the concerned Trial Court.”

8. Now, reverting to the facts of the present case, the present applicant is the Deputy General Manager (Project and Maintenance) of the SBL Company. The charge-sheet is filed and the investigation is complete. A bare perusal of the charge-sheet and the role attributed to the present applicant is identical much less lessor than co-accused to whom Hon’ble Supreme Court granted bail including the post of the applicant as occupier.

9. The law of parity as laid down by the Hon’ble Supreme Court In RE: **Sagar v. State of U.P.** 2025 SCC OnLine SC 2584 as under:

“The parity with co-accused cannot be the sole ground for granting bail, especially in cases involving serious

offences. The Court made clear that bail orders must consider the gravity of the offence, the accused's role, potential risk to justice, and other relevant factors".

10. In the present case, the applicant is identically situated and in the Managerial Capacity of the SBL Company. The Hon'ble Supreme Court granted bail to co-accused only on the ground of the completion of the investigation and further incarceration may not be required and, therefore, he is entitled for bail on the ground of parity.

11. In so far as the submissions of the learned DGP/APP regarding the deficiencies are concerned, the applicant cannot be kept behind the bars for indefinite period more particularly when the investigation is complete and the charge-sheet is filed.

12. This Court is mindful to the fact that the report dated 01.03.2026 demonstrates that those

safety measures have not complied with. It is undisputed that the SBL company was running explosives manufacturing industry. The record further demonstrates that the workers working in the factory are not skilled nor trained. The persons like the present applicant who is on the responsible post of the Manager has primary responsibility to see whether the labours working in the company are skilled and having knowledge about the same. However, at the same time, the applicant cannot be kept in detention for indefinite period. Keeping the applicant behind the bars at this stage amounts to pre-trial detention.

13. It is a well-settled principle of law that while deciding the application for bail it is not expected to conduct a mini-trial. The merits and existence of a prima-facie case are the prime factors amongst others such as nature and gravity of the accusations, danger of the accused absconding or fleeing, if released on

bail, his past conduct, character and behaviour, the reasonable apprehension of witnesses being influenced or threatened and likelihood of justice being thwarted by grant of bail.

14. In the light of above facts and circumstances of the case, admittedly the applicant has no criminal antecedent to his credit. This fact is not disputed by the Ld. DGP/APP and the Investigating Officer too. As far as the apprehension of the Ld. DGP/APP that the applicant is likely to influence or pressurize the prosecution witnesses can be sufficiently addressed by imposing stringent conditions such as attendance before the police station as per the guidelines laid down in the Criminal Manual. Thus, considering the nature of offence, gravity of the allegations, completion of the investigation and filing of the Charge-Sheet, this Court is of the considered view that further incarceration of the applicant is not necessary.

15. It is a well-established law that Bail, not jail, is the norm, unless the prosecution demonstrates compelling reasons for detention. The prosecution is unable to demonstrate any compelling reasons except strong prima-facie case, apprehension of flight and pressurizing the witnesses. Such apprehension cannot be said to be well-founded considering the nature of the case, allegations made against the applicant and his past conduct and roots in the society. Hence, the applicant has made out a *prima-facie* in favour of granting bail. This Court is inclined to to grant bail, however, subject to stringent conditions. In the result, I proceed to pass the following order:

ORDER

- (1) The Criminal application No.1774/2026 is allowed;
- (2) The applicant shall be released on bail in connection with the Crime No.0228/2026 registered with Kalmeshwar Police Station,

Nagpur dated 01.03.2026 alleging commission of offences punishable under Sections 105, 106(1), 125 (A), 125 (B), 288 of the Bharatiya Nyaya Sanhita, 2023 (In short BNS) and under Sections 41 (C)(G)(H) and 92 of the Companies Act, 1948, on his executing a personal bond in the sum of Rs.1,00,000/- (Rupees One Lakh Only) with one or more sureties in the like amount and the cash surety of Rs.50,000/- (Rupees Fifty Thousand only);

(3) The applicant shall not directly or indirectly make any inducement, threat or promise to the informant or any other person acquainted with the facts of the case to dissuade them from disclosing such facts to the Court or to any police officer.

(4) The applicant shall not tamper with or attempt to tamper with the evidence in any manner.

(5) The applicant shall not commit any offence similar to or connected with the present case during the pendency of the trial.

(6) The applicant shall not misuse the liberty granted by this order in any manner.

(7) The applicant shall attend each and every date of the Trial without seeking exemption on any ground except in extreme urgent case or on medical ground;

(8) The applicant shall not leave India without prior permission of this Court and shall surrender his passport to the police authority, if any, forthwith;

(9) The applicant shall scrupulously comply the guide-lines issued by the Hon'ble Bombay

High Court in **PIL (Criminal) 25 of 2010,**
dated 29.01.2020 along-with the directives
issued by the Hon'ble Bombay High Court in
Chapter-I of the paragraph-12 of the
Criminal Manual:

(a) The applicant shall submit a list of
at-least 3 blood relatives with their detail
residential addresses and also the
addresses of their place of work, if any.

(b) The applicant shall as a condition
precedent for grant of bail inform the
police authorities as well as this Court
granting the bail, their residential
address.

(c) The applicant shall inform the
change of his as well as the sureties
residential address immediately.

(d) The applicant shall report **once in a week to the concerned police station** till further order.

(10) The applicant shall follow above conditions scrupulously. In case of breach of any of the above conditions, the prosecution shall be at liberty to move an application for cancellation of bail under Section 483(3) of Bharatiya Nagarik Suraksha Sanhita.

(11) The bail application is accordingly disposed of.

Sd/-

***Brahmanand M. Dhanure
Additional Sessions Judge***

***Nagpur;
July 3rd, 2026***

Note:

1. The Junior Clerk of this Court shall send the official soft copy of this order to the applicant/under-trial prisoner through the Jail Superintendent, Central Prison, Nagpur via official E-mail of this Court.

2. The Bench Clerk of this Court shall forthwith update the order-sheet and details of this order in the Case Information System (CIS).

3. The Stenographer of this Court shall forthwith upload this order on the Case Information System (CIS).

sd/-

***Brahmanand M. Dhanure
Additional Sessions Judge***

***Nagpur;
July 3rd, 2026***

CERTIFICATE

I affirm that the contents of this P.D.F. file of judgment/order are word to word same, as per the original judgment/ order.

Name of Stenographer	Raju B. Burde
Name of the Court	District Judge-15 and Additional Sessions Judge, Nagpur
Date of Order	03.07.2026
Date of Typing	03.07.2026
Checked on	03.07.2026
Signed on	03.07.2026
Uploaded on CIS	03.07.2026