

ORDER BELOW EXH. NO.23(Passed on the 30th day of June, 2026)

(A) CASE DETAILS		
(i)	FIR number and date	33/2026, dt. 23.01.2026
(ii)	Police Station, District and State	P. S. Tumsar, Distt. Bhandara (Maharashtra)
(iii)	Sections invoked	Sections 103(1) and 238(A) read with section 3(5) of the Bharatiya Nyaya Sanhita, 2023
(iv)	Maximum punishment prescribed	Death penalty or life imprisonment
(B) CUSTODY & PROCEDURAL COMPLIANCE		
(i)	Date of Arrest	24.01.2026
(ii)	Total period of custody undergone	5 months & 06 days
(C) STATUS OF TRIAL		
(i)	Stage of proceedings (Investigation / Charge-sheet / Cognisance / Framing of Charges / Trial)	Charge-sheet
(ii)	Total number of witnesses cited in the charge-sheet	38 witnesses
(iii)	Number of prosecution witnesses examined	---

(D)	CRIMINAL ANTECEDENTS	
(i)	FIR No. & Police Station	Nil
(ii)	Sections	Nil
(iii)	Status (Pending / Acquitted Convicted)	Nil
(E)	PREVIOUS BAIL APPLICATIONS	
(i)	Court	Nil
(ii)	Case No.	Nil
(iii)	Outcome of the case	Nil
(F)	COERCIVE PROCESSES	
(i)	Whether any Non-bailable Warrant was issued	N. A.
(ii)	Whether declared a proclaimed offender	N. A.

The applicant **Bhushan Sunil Lanjewar** has filed this application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, for the grant of bail, in Crime No. 33 of 2026, for the offences punishable under Section 103(1) and 228(A) read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023, registered with Police Station, Tumsar.

2) According to the prosecution, in the night hours of 22.01.2026, the deceased Kapil Rane left his house, but he did not return. On the next date at about 11.45 a.m., the brother of the deceased, Kartik Rane, while going towards his field, found the

dead body of Kapil. He saw the injury marks on the body of the deceased. He immediately informed the police station. The police registered a crime against an unknown person. During the investigation, it is revealed that two years before the incident, there was a dispute between Bhushan Lanjewar (accused No.1) and the deceased on account of a dance at a reception. Therefore, the accused No.1, with the help of the applicant and other co-accused, committed the murder of Kapil. The applicant and other co-accused were arrested.

3) The applicant submitted that the allegations levelled against him are false, baseless and not supported by any cogent evidence. There is no direct or indirect evidence against him. The report was lodged against unknown persons. He has no connection with this crime. He is taking an education. The applicant has not committed any offence. He is ready to abide by the conditions imposed by this court. The investigation is complete, and the charge sheet has been filed.

4) The prosecution filed a statement saying that on 22.01.2026, the deceased did not return home, and his dead body was found on 23.01.2026. The deceased's brother lodged the report. The deceased was last seen with the applicant on 22.01.2026. An iron rod is seized at the instance of the other accused. The CDR reflects the complicity of the applicant in the commission of the offence. CCTV footage is also available showing the conversation between the accused and the deceased. Prima

facie, the evidence is available against the applicant. The applicant may tamper with the prosecution's evidence. The offence is very serious.

5) Heard D.G.P and advocate for the applicant. Perused the charge-sheet.

6) The advocate for the applicant submitted that the motive of the murder, as reflected from the charge-sheet, is not plausible, as the dispute between the deceased and one of the accused took place more than a year prior. The last seen theory also does not support the prosecution's case, as the deceased was found on 23.01.2026, after about 10 to 11 hours. The CCTV footage cannot be admissible in evidence, as the petrol pump owner has issued no Section 65B certificate. He relied upon the following authorities;

i) Yogesh Subhashrao Bhakre Vs. State of Maharashtra, Criminal Application (BA) No.534 of 2023, decided on 12.07.2023.

ii) Ajinkya Tanaji Supekar Vs. State of Maharashtra, Bail Application No.2712 of 2019, decided on 12.04.2020.

7) The prosecution submitted that there is sufficient evidence available against the applicant. The CCTV footage shows the deceased accompanying the applicant. The CDR also shows that the applicant, along with other accused, was in contact with the deceased.

8) On perusal of case papers, it is reflected that the report was lodged on 23.01.2026 by the complainant, Pankaj Rane, that some unknown persons killed his brother. The accused persons were arrested based on CCTV footage and a witness's statement that a dispute had occurred between the deceased and the applicant one or two years earlier. Also, the CCTV footage shows that the deceased was seen with the applicant and other co-accused on the night of 22.01.2026. The prosecution has also placed on record the CDR to show the applicant's complicity. Prima facie, there are no allegations that the applicant had a dispute with the deceased in the vicinity of the incident. Now, it will be a matter of trial to determine whether the deceased was last seen in the company of the applicant and the other accused. The prosecution's case is based on circumstantial evidence. The trial will take time. In the case of Yogesh Bhakare (supra), the Hon'ble High Court has released the accused on bail and held that, "at this stage, except the last seen theory, *there is no material against the present applicant to connect him with the alleged offence. Considering the nature of the material which is available against the applicant to connect him, the applicant has made out the case for releasing on bail.*" The said authority supports the applicant's case.

9) The applicant is 19 years old, and he is pursuing his education and seeking employment. If the applicant is kept behind bars with hardened criminals, it will affect his future. The applicant has no criminal antecedents. Considering the facts and the authorities cited, I find that the applicant can be released on bail,

subject to stringent conditions. Hence, I proceed to pass the following order.

ORDER

1. The application is hereby allowed.
2. Applicant, **Bhushan S/o Sunil Lanjewar**, be released on bail on furnishing P. R. bond of Rs. 25,000/- and one solvent surety in like amount, on conditions that:-
 - (a) He shall not threaten, pressurise, or make any inducement to the prosecution witnesses in any manner,
 - (b) He shall not be involved in a similar offence in future.
 - (c) He shall regularly present before the court to face trial against him.

Date 30/06/2026.

(Bharti V. Kale)
Additional Sessions Judge,
Bhandara.

CERTIFICATE

I affirm that the contents of this P. D. F. file are word-for-word, as per the original Order.

Name of the Stenographer	: G. M. Agashe, Grade-1
Court's Name	: Additional Sessions Judge, Bhandara
Date of Dictation	: 30.06.2026
Signed by Presiding Officer on	: 30.06.2026
Uploaded on	: 30.06.2026