



**IN THE COURT OF DISTRICT JUDGE-1, & ASJ, GONDIA.**

**SPECIAL (ATRO) CASE NO.30/2026**

**(CNR NO.MHGO010003582026)**

**STATE, PSO, SALEKASA -Vs – DINESH VERMA**

**ORDER BELOW EXH. 05.**

**(Passed on this 17<sup>th</sup> day of June, 2026)**

Seen application.

2. This is first bail application moved by accused after filing of charge-sheet.

3. Applicant has prayed for regular bail under Sec. 483 of BNSS, 2023 in connection with Crime No. 422/2025 registered with Police Station, Salekasa for offence punishable under Sec. 103, 238(c), 309(4)(6) of BNS, 2023 and Sec. 3(2) (v) of SC & ST (Prevention of Atrocities) Act.

4. Applicant was arrested on 26/11/2025. He was remanded to four days PCR and thereafter applicant is in Magisterial custody.

5. I.O. has filed reply vide Exh.8. Learned APP has filed reply vide Eh.9 opposing grant of bail to the present applicant.

6. Heard.

7. Perused charge-sheet. It is to be noted that the informant has filed missing report that his brother Shubham Manohar Wahane, Recovery Officer of Spandana Micro Finance Company had been to Chichtola and Ramatola area for recovery is missing and that since 3.30 p.m. his Cellphone is switched off. On 20/09/2025 police received information about decomposed body that was kept in two gunny bags. Person found in the said gunny bag was killed by giving deadly blows on head. The said body was identified to be that of deceased Shubham Manohar Wahane by the informant's father and co-worker of the informant working with Spandana Micro Finance Company.

8. Col.No.19 of post-mortem report dated 22/09/2025 has stated (i) Circular fissured skull fracture of 3.2 cm diameter present over left parietal bone, situated 03 cm lateral to midline and 4.5 cm behind left coronal suture. Margins irregular and blood infiltrated. (ii) Two linear undisplaced fissured fracture radiating from the fracture No.1 mentioned in Col.No. 19(ii) towards right frontoparietal region, of length 5.5 cm and 6.5 cm respectively. Margins irregular and blood infiltrated. (iii) One linear fissured fracture extending from fracture No.1 mentioned in Col.No. 19(ii) towards the left lambdoid suture, of length 11 cm. Margins irregular and blood infiltrated. (iv) One circular

fracture present along fracture No.3 mentioned in Col.No.19(ii) situated 02 cm lateral and behind fracture NO.1 mentioned in Col.No.19)ii) towards, 03 cm in diameter. Margins irregular and blood infiltrated. (v) Circular comminuted fracture present on left parietal bone situated 05 cm lateral to midline and 06 cm anterior to left lambdoid suture of diameter 2.5 cm. Margins irregular and blood infiltrated. (vi) One linear fracture radiating diagonally to right occipital bone from fracture No.5 mentioned in Col.No. 19(ii) of length 17 cm. Margins irregular and blood infiltrated.

9. During investigation it was revealed that accused Dinesh Verma was in financial difficulty and that his wife and mother had taken loan of Rs.31,000/- and Rs.73,000/- respectively from Spandana Sfurti Financial Ltd. It was also revealed that one Sunita Devendra Tiwari had taken loan of Rs.30,000/- from Sfurti Financial Ltd. for the benefit of accused and that accused is repaying the said loan in installment. It was also revealed that accused had taken loan of Rs.55,000/- in the name of Sayatra Kumbhare from Gramin Kotha Bank, Dongargadh. Further, accused had also taken loan of Rs.40,000/- in the name of Khileshwar from Sahyog Bank, also accused had taken loan of Rs.40,000/- in the name of Amruta Bariyekar from Hisab Bank and also accused had taken loan from Swatantra Bank Salekasa in the name of Pramod Kumbhare of Rs.60,000/- and Rs.40,000/- from Annapurna Bank in the name of Homshila Vinod Kumbhare.

10. It is to be noted that as per location of DISTA APP of Spandana Micro Finance, on 04/09/2025 deceased was at the house of accused. He had also sent his selfie along with accused to the loan officer of Spanda Micro Finance on 04/09/2025. As per statement of witnesses namely Narendra Premchand Nagpure and Hemraj Tarachand Borikar it appears that on 04/09/2025 deceased was at the house of accused in between 15.00 hours to 16.51 hours. It is further to be noted that as per CDR of the mobile number of deceased, at about 15.59 hours deceased had received last call while he was in the house of accused. Further, as per the DISTA APP, CDR of mobile number of deceased goes to show that at about 16.51 hours it was at the house of accused and at 16.57 hours mobile of deceased switched off at Bagh River Gallatola. Here, it is to be noted that witness Avinash Bhagatsingh Uikey had seen accused going towards Galltola area.

11. Further, during investigation there is discovery of mobile phone of deceased from the accused. Accused tried to destroy the said mobile at bridge of Dodi near Gallatola. The said mobile is seized from the said area at the instance of accused. The said mobile is identified by the informant and informant's father to be that of deceased person. Accused had concealed number plate of the said motorcycle at Khedepar nearby the river at the boundary of Madhya Pradesh. The said number plate is seized. The motorcycle used by accused bearing registration No. MH-35/AZ-8165 is also seized during

investigation in front of panch witnesses.

12. It is to be noted that during investigation it was revealed from the statement of witness Chainsing Ramsingh Macchirke that deceased went to the house of accused, however, he never left his house. Further, one witness namely Anmol Ashok Jamdad had seen accused carrying one big gunny bag from his bike.

13. Even, as per the charge-sheet the iron hammer used by accused for killing deceased is seized pursuant to disclosure statement made by the accused. Accused had concealed the said hammer has hidden beneath the soil of Bodi in front of his house. The said hammer was inspected by medical officer who had conducted post mortem and that he had opined that the injuries No. 1 to 6 mentioned in Col.No.19(ii) are possible with such hammer. It is to be noted that seized articles are referred to FSL.

14. As per charge-sheet, it was revealed during investigation that the accused using cow dung smeared the section of the shed where he and deceased lastly sat together and where deceased was killed. That apart, as per charge-sheet accused was anticipating by killing deceased, he would get some 3 to 5 lakhs rupees. However, on the fetal day, deceased was having only Rs.21,000/- and as such since financial crises of accused was not solved even after

committing gruesome murder of deceased, accused sold thresher machine of Rs.85,000/- and also took Rs.30,000/- against his bike.

15. On the aforesaid backdrop, at this stage contention argued by learned advocate for applicant that in the instant case chain of circumstances is not complete and a such accused be granted bail, is difficult to accept. It is submitted that in the instant case on going through the charge-sheet prima facie it can be seen that the accused and deceased were last seen together. Further, accused had motive to commit murder of deceased. Statement of witnesses goes to show that though deceased was seen lastly in the house of accused, he was not seen leaving his house. Further, statement of witnesses also depicts that accused was seen carrying gunny bag on motorcycle towards Dashrathtola where accused has tried to hide dead body of deceased. Even mobile phone of deceased and hammer used by accused to kill deceased were seized at the instance of accused. As such, there is sufficient material available on record to connect accused person with the instant crime.

16. Learned APP has therefore argued that prima facie charge-sheet filed against the accused depicts involvement of accused in gruesome murder. Therefore, according to learned APP it will not be proper on part of this court to enlarge accused on bail. In order to buttress the said contention,

learned APP has relied upon judgment in ***Cri.Appeal No. 1843/2019 decided by Hon'ble Apex Court on 05/12/2019 in case of Mahipal -Vs – Rajeshkumar @ Poli & another.***

17. In the aforesaid authority Hon'ble Apex Court in Para No.13 has relied judgment in case of ***Prasanta Kumar Sarkar -Vs – Ashis Chatterjee, (2010) 14 SCC 496*** pertaining to factors to be born in mind by the court deciding bail application. The said factors are as under:

- (i) Whether there is any prima facie or reasonable ground to believe that the accused had committed the offence;
- (ii) nature and gravity of the accusation;
- (iii) severity of the punishment in the event of conviction;
- (iv) danger of the accused absconding or fleeing, if released on bail;
- (v) character, behaviour, means, position and standing of the accused;
- (vi) likelihood of the offence being repeated;
- (vii) reasonable apprehension of the witnesses being influenced; and
- (viii) danger, of course, of justice being thwarted by grant of bail.

18. Further, learned APP has relied upon para No.14 of the authority in case of ***Mahipal***. In the said paragraph it is observed that, the decision in case of ***Prasanta*** has been consistently followed in case of ***Ash Mohammad -Vs- Shivraj***

***Singh, Ranjit Singh -Vs- State of Madhya Pradesh, Neeru Yadav -Vs- State of UP, Virupakshappa Gouda -Vs- State of Karnataka and State of Orissa -Vs- Mahimananda Mishra.***

19. Further, learned APP has relied upon Para No.14 of the said authority in case of Mahipal and has submitted that court deciding bail application is only suppose to decide that there is prima facie or reasonable cause to believe that the accused had committed the crime. It is not relevant at this stage for the court to examine in detail the evidence on record to conclusive finding.

20. He has also relied upon the authority in case of ***Ishwarraj Nagaji Mali -Vs – State of Gujrat and another, arising out of Criminal Appeal No. 70/2022*** decided by Hon'ble Supreme Court on 18/01/2022. On the basis of the said authority, learned APP has submitted that at the time of deciding bail application court deciding bail application is not suppose to conduct detailed inquiry on merits. As such he has submitted that in the instant case prima facie evidence collected by the prosecution goes to shown chain of circumstances is complete. As such, it will not be proper to enlarge applicant on bail in the present matter.

21. Regarding authorities cited by learned advocate of accused is concerned, it is submitted that in the said matter owing to the facts and circumstances of the said case, bail was

gratned to the accused as prima facie there was no material to connect accused with crime. As such, he has submitted that authorities i.e. (i) Ashabai -Vs - State of Maharashtra, (ii) Bhagwat Sakharam Ujgare –Vs– State of Maharashtra, (iii) Aman Khan -Vs- State of Maharashtra & oth (iv) Yogesh Bhakre -Vs- State of Maharashtra and (v) Criminal Aplication (BA) No. 379/2026 Kamesh @ Chunnilal Kawale -Vs – State of Mah. Decided on 15/04/2026, are not helpful to the accused in the present matter. I am in agreement with contention argued by learned APP. Hence, the following order.

### **ORDER**

Application [Exh.05] is hereby rejected.

Gondia.  
Dated: 17.06.2026.

(A. S. Pratinidhi)  
District Judge-1 & ASJ,  
**Gondia.**