

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

CRIMINAL APPLICATION (BA) NO.536/2026

Pravin Mrutunjay Pandey (Presently in Central Prison, Nagpur) .Vs. State of
Maharashtra through PSO P.S. Pardi, Nagpur City, Nagpur.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. R. M. Daga, Advocate for applicant.
Mr. V. A. Thakare, A.P.P. for non applicant-State.

CORAM : **M. M. NERLIKAR, J.**

DATE : **MAY 4, 2026.**

Heard learned counsel for the parties.

2. By present application, applicant is seeking regular bail in connection with Crime No.710/2025 dated 01.11.2025, for the offences punishable under Sections 103(1), 189(2), 189(4), 190, 191(3), 351(3), 352 of the Bhartiya Nyaya Sanhita, 2023 ("BNS") and Section 135 of the Maharashtra Police Act, 1951, registered with Police Station Pardi, Nagpur.

3. First Information Report ("FIR") was registered by one Harshal Ramteke that on 31.10.2025 at about 07:30 p.m., one Khileshwar Bisen along with his friends, attacked the informant and his friends. During this attack, friend of the informant namely Noor Hussain, suffered stab injuries and died. After lodging the FIR, the police conducted the investigation and charge-sheet came to be filed against applicant and other co-accused.

4. Learned counsel for applicant submits that FIR was registered against Khileshwar Ramteke, Annu alias Anas Ahmad,

Pratik Karandekar, present applicant and one juvenile accused. Even if allegations in the FIR are taken to be true, it cannot be said that the applicant has contributed in the murder of deceased. There is no overt act on the part of the applicant. He further submits that it is the applicant, who has tried to separate Khileshwar and Harshal. There was grudge in the mind of Khileshwar for Harshal. Therefore, on that day, for about 11 times, Khileshwar called Harshal and accordingly Harshal, along with deceased Noor Hussain, came to see Khileshwar at the spot of incident. There was a scuffle between Harshal and Khileshwar. When Noor Hussain tried to intervene, Annu alias Anas Ahmad has taken out a knife from his waist and inflicted blows on the abdomen of Noor Hussain. Accordingly, Noor Hussain died of the injuries. Learned counsel for applicant submits that the incident occurred in the heat of anger. However, there is no allegation against the applicant and, therefore, the applicant, be released on bail.

5. On the other hand, learned A.P.P. vehemently opposes the application and submits that the accused persons have, with a common intention and object, committed murder of deceased Noor Hussain. The applicant was very much present at the spot when the incident occurred. There was enmity between Khileshwar and Harshal. On the day of incident, there was a scuffle between Khileshwar and Harshal during which Annu alias Anas inflicted knife blow on deceased Noor Hussain. Post Mortem Report shows that there are two serious blows on the abdomen of deceased Noor Hussain and other are abrasions on his body and, therefore, it cannot be said that the applicant has

not participated in the murder of deceased. Thus, the application may be rejected.

6. I have considered the rival submissions and gone through the record. Perusal of the statement of Shoeb Ansari, who is an independent witness, shows that the applicant and others have tried to separate both the groups. In the FIR, main role is attributed to Annu alias Anas Ahmad, who has inflicted knife blows on the abdomen of Noor Hussain.

7. Under such circumstances, when the independent witness specifically states that the other four accused persons were trying to separate both the parties, coupled with the fact that the investigation is over and charge-sheet is already filed, no purpose would be served by keeping the applicant behind the bars. I, therefore, find this to be a fit case for grant of bail. Hence, the following order.

ORDER

- (i) The application is allowed.
- (ii) Applicant – Pravin s/o Mrutunjay Pandey, be released on regular bail in connection with Crime No.710/2025 dated 01.11.2025, for the offences punishable under Sections 103(1), 189(2), 189(4), 190, 191(3), 351(3), 352 of the Bhartiya Nyaya Sanhita, 2023 (“BNS”) and Section 135 of the Maharashtra Police Act, 1951, registered with Police Station Pardi, Nagpur, on his furnishing P.R. Bond of Rs.50,000/- with two sureties in the like amount.
- (iii) The applicant shall not enter into the vicinity where the informant and his family is residing.

(iv) The applicant shall make himself available as and when called by Police Station Officer, Police Station, Pardi, Nagpur.

(v) The applicant 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.

(vi) The applicant shall provide his residential address and cell number to Police Station concerned and shall not change his place of residence without prior intimation to the Investigating Agency.

(vii) The applicant 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.

(viii) 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.

(JUDGE)