

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

CRIMINAL APPLICATION (BA) NO.873 OF 2021

(Suwansh @ Jai s/o Kuldeepsingh Khanduje Vs. State of Maharashtra thr. PSO PS
Kanhana, Tah. Parshivni, Dist. Nagpur)

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

Court's or Judge's orders.

Mr. Y. Y. Humne, Advocate for Applicant.
Mrs. K. R. Deshpande, APP for Non-Applicant/State.

CORAM: ROHIT B. DEO, J.

DATE: 17th SEPTEMBER, 2021.

The applicant is seeking bail in connection with Crime 73/2021 registered with Police Station Kanhana, District Nagpur for offences punishable under sections 302, 307 and 294 read with section 34 of the Indian Penal Code.

2. The prosecution case is that between 10:00 p.m. and 10:30 p.m. on 28.02.2021 the first informant Sanket Tiwari and Ankit Singh were proceeding from the *Dhaba* run by Ankit Singh, to their respective homes, on separate motor-cycles. While the duo were proceeding towards Kandri, and were below the Hiwra over-bridge, some person threw a beer bottle on the road. The first informant and Ankit Singh stopped and questioned the person. The prosecution case is that 3 to 4 persons picked up an altercation during the course of which co-accused Vidit @ Mausik Komti inflicted a stab wound to the abdomen of Ankit Singh. The first informant alleges that the rest of the accused including the applicant assaulted him with fists.

Ankit Singh was admitted to the Medical College and Hospital, Nagpur where he succumbed and the cause of death stated in the postmortem report is “septicemia following stab injury in operated case’.

3. The investigation is complete and the charge-sheet is filed. The applicant is relatively young, aged 18 years and claims to be a student. The applicant has no criminal antecedents. Considering the limited role attributed to the applicant in the incident, a case for grant of bail is made out.

4. The application is allowed subject to the following conditions:

- (i) The applicant be released on furnishing PR bond of Rs.16,000/- (Rupees Sixteen Thousand) with solvent surety of like amount.
- (ii) The applicant shall not indulge in any criminal activity while on bail.
- (iii) The applicants shall not make any attempt to influence the witnesses, directly or indirectly.
- (iv) The applicant shall not leave the country without the permission of the jurisdictional Court.

JUDGE