

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

Criminal Application (BA) No. 1188 of 2021

(Sohel Khan Ismail Khan ..vs.. The State of Maharashtra through City P.S.O., P.S. City P.S., Yavatmal,
Tq. & Dist. Yavatmal)

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

Court's or Judge's orders

Mr. I. M. Ghongade, Advocate for the applicant
Mr. M. K. Pathan, APP for the State/non-applicant

CORAM : ROHIT B. DEO, J.

DATED : 3-12-2021

Heard.

2. The applicant is seeking bail in connection with Crime 468/2021 registered with City Police Station, Yavatmal for offence punishable under Section 307 read with Section 34 of the Indian Penal Code.

3. In brief, the prosecution case is that the injured victim Abhishek was assaulted by accused 1, a juvenile-in-conflict and the applicant with knife.

4. The applicant has a counter narrative. According to the applicant, it was he who suffered serious injuries in the incident. The applicant has placed on record the medical papers from which it reveals that the applicant

suffered as many as 9 injuries including incise wounds on the left chest and the neck.

5. The applicant also placed on record discharge summary showing that he was admitted to Shri Vasantrao Naik Government Medical College & Hospital, Yavatmal from 17-5-2021 to 20-5-2021.

6. The medical papers which were brought to my notice do not form part of the charge-sheet.

7. Learned Additional Public Prosecutor Mr. Pathan was, therefore, requested to ascertain from the Investigating Officer whether the applicant indeed suffered the injuries, which he claims he did, and after seeking instructions, learned Additional Public Prosecutor Mr. Pathan states that the applicant was indeed injured.

8. Considering that the applicant has no criminal antecedent and the fact that the possibility of some untoward incident having occurred involving a free fight cannot be excluded, at this stage, I am inclined to grant bail.

9. The application is allowed subject to the following conditions.

(i) The applicant be released on bail on executing PR bond of Rs. 16,000/- (Rupees Sixteen Thousand) with solvent surety of the like amount.

(ii) The applicant shall not, directly or indirectly, make any attempt to influence the witnesses or otherwise tamper with the evidence.

(iii) The applicant shall not leave the country without the permission of the trial Court.

JUDGE

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