

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

CRIMINAL APPLICATION (ABA) NO.370 OF 2022

Yuvraj S/o Bapurao Naukarkar

Versus

State of Maharashtra, through P.S.O., P.S. Bela, Tah. Umred, Dist. Nagpur

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri S.G. Karmarkar, Advocate for the applicant.

Shri V.A. Thakare, A.P.P. for the non-applicant/State.

CORAM : ANIL S. KILOR, J.

DATED : 22/06/2022

1. The applicant is seeking pre-arrest bail in Crime No.137 of 2022, dated 26.04.2022, registered with Police Station Bela, District: Nagpur (Rural), for the offences punishable under Sections 307 and 504 of the Indian Penal Code and Sections 4 and 25 of the Arms Act.

2. Shri Karmarkar, learned counsel for the applicant submits that the incident took place in spur moment and there was no intention. He further submits that knife was recovered from the spot, as such nothing remained to be recovered from the applicant and nothing has been seized from the applicant.

3. The learned counsel for the applicant further submits that the applicant is seriously ill and doctor has

opined his medical condition is not fit for arrest. Accordingly, He prays for grant of pre-arrest bail.

4. On the other hand, Shri V.A. Thakare, learned APP opposes the present application and points out the statement of eye witnesses from the Case Diary and submits that the offence is very serious and considering the severity of punishment, the application may be rejected.

5. I have perused the Case Diary and also the contents of the First Information Report (FIR).

6. The offence is very serious and the injury report *prima facie* supports the case of the prosecution.

7. Whether the incident took place in spur of moment or whether there is any intention of the applicant these are the matters of trial and at this stage, I do not want to make comments on these aspects. As far as the medical condition of the applicant is concerned, the non-applicant will take decision about the same. At this stage, as I have observed that the offence is very serious, I am not inclined to grant bail. Accordingly, I pass the following order:

The criminal application is **rejected**.

[ANIL S. KILOR, J.]