

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

**CRIMINAL APPLICATION (BA) NO. 1477 OF 2022**

Sanket s/o Sanjay Bahadure vs. The State of Maharashtra

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Office notes, Office Memoranda of  
Coram, appearances, Court's orders  
or directions and Registrar's orders.

Court's or Judge's Orders.

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Mr. K. N. Kshirsagar and Mr. D. M. Surjuse, Advocate for  
applicant.

Mr. V. A. Thakre, APP for respondent State

**CORAM : ANIL L. PANSARE J.**

**DATE : 10/01/2023**

Learned APP has tendered additional  
affidavit in compliance to order dated 05/01/2023.  
The applicant has been arrested on 03/08/2022 in  
Crime No.0746 of 2022 for the offences punishable  
under Section 307, 504 and 506 of the Indian Penal  
Code (IPC).

2. The accusation is that the applicant has  
made an attempt to commit murder of his brother-in-  
law(brother of wife). Statement dated 06/08/2022  
of applicant's wife indicates that they married on  
01/12/2020. After couple of months, the applicant  
started quarreling with his wife. On 25/02/2022, he  
has assaulted his wife, resulting into head injury. The  
report came to be lodged with Police Station, Wardha.

The wife went to matrimonial house. The applicant followed with crowbar and threatened the parents of wife. On 03/08/2022, the applicant has assaulted his brother-in-law by means of a knife. His brother-in-law sustained injuries on back side of the head and on his back as well.

3. Learned APP submits that the attack is pre-determined. The applicant on or about 29/04/2022 has purchased knife from Flipkart, the online portal. The same knife has been recovered from the applicant on 05/08/2022.

4. In my view though one cannot say on the basis of purchase of knife in April to be a pre-determined act to assault the informant, but the submissions are helpful to the extent that knife was purchased and the same knife was recovered from the applicant.

5. The important fact is that the attack has been committed at a distance of about 30k.m. from the house of the applicant. He carried knife with him, that may amount to be an act done with pre-determined mind.

6. The statement of the wife of the applicant indicates that he has assaulted his wife in February 2022, thereafter, he also assaulted his brother-in-law. In these circumstances, the apprehension put forth by the learned APP that if the applicant is released on bail, he may commit similar such offence cannot be ruled out.

7. The offence in question is a serious offence, as the applicant has assaulted his relatives. The incident has been witnessed by independent persons (page 125).

8. Learned counsel for applicant, however, disputes that knife that has been recovered is not the one that has been purchased. The said fact could be tested in the trial.

9. It will not be thus appropriate to grant bail at this stage. The application is liable to be rejected and stands rejected accordingly.

**JUDGE**