



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

CRIMINAL APPLICATION (BA) NO.652 OF 2024

(Ku. Bhavna D/o Satish Asole Vs. The State of Maharashtra)

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

Court's or Judge's Order

Mr. S.B. Trivedi, Advocate for the applicant.
Mrs. H.N. Prabhu, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- AUGUST 21, 2024.

The applicant came to be arrested on 22.05.2024 in connection with Crime No.376/2024 registered with Police Station Hudkeshwar, Nagpur, for the offence punishable under Sections 147, 148, 326, 504 read with Section 149 of the Indian Penal Code. Initially, the offence was registered under Section 326 subsequently, it was converted into Section 307 of the Indian Penal Code.

2. Learned Counsel for the applicant submitted that as per the allegation by the informant during Ramnavami of 2024, he met one Bhavna near Lohapuliya. At that time, she was accompanied by her family members and the present applicant. At the same place, she introduced the complainant with everybody. On the next day, the complainant received a call from unknown number, asking him why he is communicating with said Bhavna and he was called to meet. On 21.05.2024 at about 7:30 p.m. the complainant received a message and the location from the present applicant Bhavna and asked

the complainant to meet. Therefore, the complainant along with his friends went at the said place wherein he was assaulted by the present applicant and the other co-accused.

3. Learned Counsel for the applicant submitted that the other co-accused against whom the allegation that he assaulted by giving a blow of knife and caused the injury on the vital part of the injured, is already released on bail. As far as present applicant is concerned, only role attributed to her that she shared the location and the message to the complainant. Thus, the role of the present applicant is limited one. Her further incarceration is not required. In view of that, she be released on bail.

4. Learned APP strongly opposed the said application on the ground that it is the present applicant who called the complainant and thereafter the alleged incident has taken place. The medical certificate shows that injured has sustained the incised wound on the vital part of the body i.e. on the neck. Considering the fact that the intention of the present applicant and other co-accused can be gathered from the circumstances, the application deserves to be rejected.

5. I have heard learned Counsel for both the parties. Perused the investigation papers from which it reveals that the major role attributed to the co-accused Sachit Dharmik who is already released on bail by this Court against whom allegation that he has given a blow of knife on the vital part of the body i.e. on the neck of the

injured. As far as present applicant is concerned the limited role is attributed to her. Now, the investigation is already completed and charge-sheet is filed, further incarceration of the applicant is not required. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass the following order :

(i) The application is allowed.

(ii) The applicant - Ku. Bhavna D/o Satish Asole shall be released on bail in connection with Crime No.376/2024 registered with Police Station Hudkeshwar, Nagpur, for the offence punishable under Sections 147, 148, 307, 326, 504 read with Section 149 of the Indian Penal Code, on executing PR bond of Rs.25,000/- each with one surety in the like amount.

(iii) The applicant shall not enter into the vicinity of Karanja Lad, District-Washim, till the culmination of the trial.

(iv) The applicant shall not induce, threat or promise any witnesses in any manner who are acquainted with the facts of the case.

6. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)