



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

CRIMINAL APPLICATION (BA) NO. 885 OF 2024

Saurabh s/o Bharat Bhise (In Jail) Vs 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. Kushal Jain, counsel with Mr. P.S. Lingayat, counsel for the applicant.
Mr. K.R. Lule, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 08/10/2024.

1. The applicant came to be arrested on 19/02/2024 in connection with Crime No. 87/2024 registered with Police Station Bramhanwada Thadi, Tah. Chandur Bazar, District Amravati for the offence punishable under Section 307 of the Indian Penal Code, 1860.

2. The accusation against the present applicant is on the basis of the report lodged by the mother of the present applicant, on an allegation that on 19/02/2024, the applicant was present in the house, who is son of the informant, and there was a dispute on account of staring by the applicant towards his mother. During that dispute, the applicant threatened his mother that he would kill her therefore, his brother intervened in the quarrel and was taking his mother outside the house. At the relevant time, the applicant picked up the Axe from the kitchen and was about to give a blow on the person of his brother. At that time, the injured, who is the sister of the present applicant,

intervened, and the blow was received by her on the left-hand fingers. Due to the said blow, two fingers are amputated. On the basis of the said report, police have registered the crime against the present applicant.

3. The learned counsel for the applicant submitted that in a sudden quarrel, the alleged incident has taken place, and in a heat of anger, the applicant was allegedly given a blow, which was received by the sister, and she has sustained the injury. She submitted that now the investigation is completed and charge-sheet is filed, as far as the apprehension of death is concerned, which is not in existence. Considering that further incarceration of the present applicant is not required, hence he be released on bail.

4. The learned APP strongly opposed the said application and submitted that for trifle reasons, the applicant has given a blow on the person of the injured, due to which she has lost her two fingers. In view of that, the application deserves to be rejected.

5. After hearing both sides and on perusal of the investigation papers, it reveals that during a domestic dispute between the family members, the applicant has picked up the Axe, and attempted to give a blow on the person of his brother, but the injured, who is the sister of the present applicant, intervened, and she has received the injuries. There is no doubt that injuries sustained by the

injured are serious in nature, but considering that due to the said injuries, there is no apprehension of death, and now she is discharged from the hospital. The investigation is also completed, further incarceration of the present applicant is not required, in view of that, the application deserves to be allowed by imposing certain conditions. Accordingly, I proceed to pass the following order.

- a] The applicant – ***Saurabh Bharat Bhise***, shall be released on bail, in connection with Crime No. 87/2024 registered with Police Station Bramhanwada Thadi, Tah. Chandur Bazar, District Amravati for the offence punishable under Section 307 of the Indian Penal Code, 1860, on executing PR. Bond of Rs. 25,000/- with one solvent surety in the like amount.
- b] The applicant shall not enter into the village Vishroli, Tq. Chandurbazar, District Amravati till culmination of the trial.
- c] The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the present case.
- d] The applicant shall attend the proceedings before the Sessions Court without seeking any exemption unless there are exceptional circumstances.

e] The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the present case.

The criminal application is **disposed of**.

[URMILA JOSHI-PHALKE, J.]