



THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA) NO. 209 OF 2025

Khandu s/o Bhikaji Dhok 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. K.S. Kalidas, counsel for applicant.

Mr. M.K.Pathan, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 01/04/2025.

1. The applicant came to arrested on 12/07/2024 in connection with Crime No. 345/2024 registered with Police Station Risod, District Washim for the offence punishable under Sections 109, 351(3), 352 read with Section 3(5) of the Bhartiya Nagarik Surksha Sahita, 2023.

2. The crime is registered on the basis of an allegation levelled by the informant that there was an ongoing dispute between him and the family members of the present applicant on account of the boundary of the agricultural field. On the day of the incident, a quarrel arose on that count. During that altercation, the present applicant was assaulted by means of a sickle on the head of Amol Ramprasad Khorne as well as assaulting Ramprasad Narayan Khorne. Due to which, they both have sustained the injuries.

3. Learned counsel for the applicant submitted that, due to the dispute between two families, the alleged incident has taken place. Now the investigation is already completed, and charge-sheet is already filed. The injured is also discharged from the hospital, there is no apprehension as to the death. The trial will take its own time for its final disposal, and therefore, further incarceration of the present applicant is not required.

4. Learned APP strongly opposed the said application and submitted that, considering the three injuries sustained by the injured, which are grievous in nature, especially injury No. 3. He also invited my attention towards the subsequent medical report, which shows that the left hand near total amputation at mid palmar level with Zone VI Flexor Tendon injury with fracture left parital bone and haemorrhagic contusion. Thus, the present applicant has caused the grievous injuries to the injured Amol Khorne. In view of the above circumstances, the application deserves to be rejected.

5. On hearing both sides and on perusal of the investigation papers, the major role is attributed to the present applicant, the applicant has caused the grievous injuries to the injured Amol Ramprasad Khorne. However, now the investigation is already completed, and charge-sheet is already filed, and there is no apprehension of death as far as the injured is concerned. Considering the same, the application deserves to be allowed by imposing

certain conditions. Accordingly, I proceed to pass the following order.

ORDER

- a] The criminal application is allowed.
- b] The applicant – *Khandu s/o Bhikaji Dhok* shall be released on bail in connection with crime No. 345/2024 registered with Police Station Risod, District Washim for the offence punishable under Sections 109, 351(3), 352 read with Section 3(5) of the Bhartiya Nagarik Surksha Sahita, 2023, on executing P.R. Bond of Rs. 50,000/- with one solvent surety in the like amount.
- c] The applicant shall not enter into the village Chikhali, Tah. Risod, District Washim till culmination of the trial.
- d] The applicant shall attend the proceedings before the Sessions Court without seeking any exemptions unless there are exceptional circumstances.
- e] The applicant shall furnish his address with the address proof wherein he intends to reside after he is released on bail.
- f] The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.

g] Any contravention of the above said conditions would lead to the cancellation of bail.

6. The criminal application is **disposed of**

[URMILA JOSHI-PHALKE, J.]