



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

CRIMINAL APPLICATION (BA) NO.286 OF 2025
(Samsad Amanat Aansari 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. H. Chawhan, Advocate h/f Mr. P.S. Chawhan, Advocate for
the applicant.
Mrs. H.N. Prabhu, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- MARCH 24, 2025.

By this application, the applicant is seeking bail as he came to be arrested on 15/01/2024 in connection with Crime No.27/2024 registered with Police Station Mauda, District Nagpur for the offences punishable under Sections 307, 323 and 201 of the Indian Penal Code.

2. The crime is registered on the basis of report lodged by one Munna Kumar @ Ram Pritham Kumar on an allegation that on 14/01/2024 he along with the other persons including the present applicant who was staying in one room and were working as labour. There was some dispute between them on account of money transaction and as the applicant has not repaid the amount due to which there was hot exchange of words between them and the present applicant initially assaulted him by fist and thereafter gave a blow by knife on his neck. On the

basis of the said report, police have registered the crime against the present applicant.

3. Learned Counsel for the applicant submitted that the injured is discharged from the hospital. Now, there is no apprehension of death as far as the injury is concerned. The applicant will attend the proceeding regularly. He further submitted that considering the nature of the injuries and considering the fact that now investigation is already completed and charge-sheet is filed, further incarceration of the applicant is not required.

4. Learned APP strongly opposed the application on the ground that the applicant was absconding since the date of incident. After proclamation he was arrested. If he is released on bail, he would not be available for trial and trial would be held up. He is not resident of State of Maharashtra also. For all above these grounds, the application deserves to be rejected.

5. I have heard learned Counsel for both the sides. On perusal of the investigation papers, it reveals that the applicant and the informant were residing in one room. There was some money transaction between them and on account of demanding the money back, the alleged incident has taken place. The injuries received by the injured though on the vital part of the body but he is now discharged from the hospital and there is no apprehension of death. Moreover, the applicant has also received the

injury in the alleged incident from which it reveals that there was a free fight between the applicant and the informant. Considering the nature of the injury and considering the fact that now there is no apprehension as to the death of the injured and the investigation is completed and charge-sheet is filed, the application deserves to be allowed. Accordingly, I proceed to pass following order:

(i) The application is allowed.

(ii) The applicant - Samsad Amanat Aansari in connection with crime No.27/2024 registered with Police Station Mauda, District Nagpur for the offences punishable under Sections 307, 323 and 201 of the Indian Penal Code, be released on bail on executing P.R. Bond in the sum of Rs.25,000/- with one solvent surety in the like amount.

(iii) The applicant shall attend the concerned police station twice in a month i.e. 1st and 15th day of every month and the Police Officer shall record his presence and the applicant shall cooperate with the investigating agency.

(iv) The applicant shall furnish cell phone number, detailed address with address proof

and names of his two relatives along with their address proof.

(v) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case either personally or by way of electronic media.

(vi) The applicant shall attend the proceedings before the trial Court on each and every date without seeking any exemption unless there are exceptional circumstances.

6. The contravention of any of the condition would lead to the cancellation of bail.

7. The application stands disposed of.

(URMILA JOSHI-PHALKE, J.)