



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

CRIMINAL APPLICATION (BA) NO.334 OF 2025

Jitendra s/o Jagdeorao Wankhade

Vs.

State of Maharashtra, through Police Station Officer, Police Station,
Dattapur, District Amravati

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Ms. Kiran P. Wathore, Counsel for the applicant.
Mr. Anant Ghogre, APP for non-applicant / State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 03/04/2025

1. The applicant came to be arrested on 27/09/2024 in connection with Crime No.401/2024 registered with Police Station Dattapur, District Amravati for the offence punishable under Section 109 of the Bharatiya Nyaya Sanhita, 2023.

2. The applicant is arraigned as an accused on the basis of report lodged by Gayatri Santosh Thombre on an allegation that the present applicant with whom she is acquainted had assaulted her husband on 27.09.2024 at 9.45 p.m. due to the previous dispute by means of a sickle, and therefore, her husband has received the injuries. On the basis of the said report, police have registered the crime.

3. Heard learned Counsel for the applicant who submitted that now the investigation is already completed, charge-sheet is filed. As far as the apprehension of death is concerned, the injured is discharged from the hospital, further incarceration of the present applicant is not required. In view of that, he be released on bail.

4. Learned APP strongly opposed for the same on the ground that the injured has sustained the grievous injuries. In view of that, the application deserves to be rejected.

5. On hearing both the sides and on perusal of the investigation papers it reveals that out of a previous dispute, the assault was by the present applicant. The injury certificate is on record which shows that the injured has sustained the grievous injuries, but considering now the investigation is completed and charge-sheet is filed, the injured is already discharged from the hospital and there is no apprehension of any complications due to the said injury. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass following order:

ORDER

(i) The application is allowed.

(ii) The applicant **Jitendra s/o Jagdeorao Wankhade** shall be released on bail in connection with Crime No.401/2024

registered with Police Station Dattapur, District Amravati for the offence punishable under Section 109 of the Bharatiya Nyaya Sanhita, 2023, on executing PR Bond in the sum of Rs.25,000/- with one solvent surety of the like amount.

(iii) The applicant shall not enter into the vicinity of Dhamangaon Railway, Taluka Dhamangaon Railway, till the culmination of trial.

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

(v) The applicant shall furnish his detailed address along with the address proof where he is intending to reside after he is released on bail.

(vi) The applicant shall attend the proceeding before the Sessions Court without seeking any exemption unless there are exceptional circumstances.

The application is disposed of.

(URMILA JOSHI-PHALKE, J.)