



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

CRIMINAL APPLICATION (BA) NO.388 OF 2025

(Gajanan s/o Laxman Khadse 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. A. Ananthakrishnan, Advocate (appointed) for the applicant.
Mrs. H.N. Prabhu, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- APRIL 22, 2025.

By this application, the applicant is seeking bail as he came to be arrested on 26/01/2025 in connection with Crime No.27/2025 registered with Police Station Borgaon Manju, District Akola for the offences punishable under Sections 109, 3(5) and 351(2) of the Bharatiya Nyaya Sanhita, 2023.

2. The crime is registered on the basis of report lodged by Om Ravindra Mahalle who alleged that on 26/01/2025 there was hot exchange of words between him and the co-accused. At the relevant time, present applicant was also present and there was a quarrel between him and the present applicant also. During the said hot exchange of words the other co-accused Sumit Ingle picked up the knife from his pocket and gave a blow on the person of the injured, due to which the injured has sustained the grievous injuries. On the basis of the said report, police have registered the crime against the present applicant.

3. Learned Counsel for the applicant submitted that except the presence no overt act is attributed to the present applicant. Now, investigation is practically completed though charge-sheet is not filed. Further incarceration of the applicant is not required.

4. Learned APP strongly opposed the application and submitted that the involvement of the present applicant is in the previous quarrel and the entire incident is initiated after that quarrel. Thus, considering the presence of the present applicant on account of which the alleged incident has taken place, the application deserves to be rejected.

5. I have heard learned Counsel for both the sides and on perusal of the investigation papers, it reveals that except presence of the present applicant no overt act is attributed to him. Now, investigation is completed. The applicant has made out a case for grant of bail. Accordingly, I proceed to pass the following order:

(i) The application is allowed.

(ii) The applicant – Gajanan s/o Laxman Khadse in connection with Crime No.27/2025 registered with Police Station Borgaon Manju, District Akola for the offences punishable under Sections 109, 3(5) and 351(2) of the Bharatiya Nyaya Sanhita, 2023, 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 if the investigating officer calls him for the investigation purpose by issuing the notice in advance.

(iv) 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.

(v) The applicant shall attend the proceedings before the trial Court 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.

8. The fees of the appointed Counsel be quantified as per rules.

9. Hamdast granted.

(URMILA JOSHI-PHALKE, J.)