



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

CRIMINAL APPLICATION (BA) NO.591 OF 2025

Prabhu s/o Yadaorao Meshram and another
Vs.

State of Maharashtra, through Police Station Officer, Police Station Tirora,
District Gondia

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

Court's or Judge's orders

Mr. D.V. Mahajan, Counsel for the applicants.
Mr. N. B. Jawade, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 08/07/2025

1. The applicants came to be arrested on 18.09.2024 in connection with Crime No.673/2024 registered with Police Station Tirora, District Gondia for the offence punishable under Sections 109(1), 118(1), 118(2), 352, 351(3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. The crime is registered on the basis of report lodged by Namdev Ramdas Katre on an allegation that there is a dispute between the present applicants and him on account of the boundary of the agriculture field and on that count on the day of incident on 17.09.2024 at about 12.30 p.m. to 1.00 p.m, the present applicants came in the agriculture field along with axe in their hands and assaulted him as well as the other family members. On the basis of

the said report, police have registered the crime against the present applicants.

3. Heard learned Counsel for the applicants, who submitted that due to the dispute on account of the boundary of the agriculture field, the alleged incident has occurred. As far as the injuries sustained by the injured are concerned, only two ladies have sustained the grievous injuries and others have sustained the simple injuries. Now they are discharged from the hospital. There is no apprehension of death. The investigation is completed, charge-sheet is also filed, in view of that, further incarceration of the present applicants is not required.

4. Learned APP strongly opposed the said application and submitted that the applicants entered into the agriculture field and they were aggressors along with the weapons in their hands and caused the injuries to the four persons, out of them, two ladies have sustained the grievous injuries. If they are released on bail, there is every apprehension of repetition of the said incident. In view of that, the application deserves to be rejected.

5. On hearing both sides and on perusal of the investigation papers, it reveals that out of the agriculture dispute, the alleged incident has taken place. As far as the injured are concerned, one

injured Dipavali and another injured Vanita have sustained the grievous injuries, whereas Vyankat, Ramdas, Namdev have sustained simple injuries. Now they are discharged from the hospital. The investigation is already completed. As far as the apprehension raised by the learned APP is concerned, which can be taken care of by imposing certain conditions. Accordingly, I proceed to pass following order:

ORDER

- (i) The application is allowed.
- (ii) The applicants namely **Prabhu s/o Yadaorao Meshram and Shivshankar s/o Prabhu Meshram** shall be released on bail in connection with Crime No.673/2024 registered with Police Station Tirora, District Gondia for the offence punishable under Sections 109(1), 118(1), 118(2), 352, 351(3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023, on executing PR bond in the sum of Rs.25,000/- each with one solvent surety in the like amount.
- (iii) The applicants shall not enter into the agriculture field in village Ramatoli/Silli, Taluka Tirora, District Gondia, till the culmination of trial where the alleged incident has taken place.
- (iv) The applicants shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.
- (v) The applicants shall attend the proceeding before the trial Court without seeking any exemption unless there are exceptional circumstances.

(4)

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The application is disposed of.

(URMILA JOSHI-PHALKE, J.)

Sarkate