



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

CRIMINAL APPLICATION (BA) NO.735 OF 2025

Shailesh s/o Kanhaiya Nagpure
Vs.

State of Maharashtra, through Police Station Officer, Police Station
Kanhana, District Nagpur

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

Court's or Judge's orders

Mr. Piyush Rewatkar, Counsel h/f Mr. C. R. Thakur, Counsel for the
applicant.
Ms. M. A. Barabde, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 28/07/2025

1. By this application, the applicant is seeking bail as he came to be arrested on 31.08.2024 in connection with Crime No.514/2024 registered with Police Station Kanhana, District Nagpur for the offences punishable under Sections 3(5), 309(4), 310(1), 324(4)(5), 351(1)(2) of the Bharatiya Nyaya Sanhita, 2023 and under Sections 4 and 5 of the Arms Act.

2. The crime is registered on an allegation that he along with the other accused entered into the bar and restaurant owned by the informant and some of the accused have assaulted the informant by means of knife and snatched amount of Rs.1000/-

and also caused the loss to the articles of the bar to the tune of Rs.15,276/-.

3. Heard learned Counsel for the applicant, who submitted that as far as the present applicant is concerned, the allegation is that he was holding a knife and he has caused the injuries to the informant. The injuries sustained by the informant are simple in nature. Now the investigation is already completed, charge-sheet is already filed, the weapon is already recovered, his further incarceration is not required. He cannot be kept behind the bar by way of punishment. In view of that, he be released on bail.

4. Learned APP strongly opposed the said application and submitted that in furtherance of the common object, the present applicant along with the other co-accused not only caused the loss to the informant, but also the informant as well as the customers who were sitting in the bar were assaulted. There are criminal antecedents against him. Considering all these aspects, the application deserves to be rejected.

5. On hearing both sides and on perusal of the investigation papers, from which it reveals that the entire case is rested on the CCTV footage which shows that the present applicant by holding knife in his hand entered along with the other co-accused caused the loss to the articles also assaulted to the

informant as well as they have also threatened to the customers. Thus, as far as the involvement of the present applicant is concerned, which reveals from the investigation papers. Now, as the investigation is completed and charge-sheet is filed, the application of the applicant deserves to be allowed. Accordingly, I proceed to pass following order:

ORDER

- (i) The application is allowed.
- (ii) The applicant **Shailesh s/o Kanhaiya Nagpure** shall be released on bail in connection with Crime No.514/2024 registered with Police Station Kanhan, District Nagpur for the offences punishable under Sections 3(5), 309(4), 310(1), 324(4)(5), 351(1)(2) of the Bharatiya Nyaya Sanhita, 2023 and under Sections 4 and 5 of the Arms Act, on executing PR bond in the sum of Rs.25,000/- with one solvent surety in the like amount.
- (iii) The applicant shall not indulge himself in similar types of the activities.
- (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 proceeding before the trial Court without seeking any exemption unless there are exceptional circumstances.
- (vi) A single registration of the offence would lead to the cancellation of bail.

(4)

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The application is disposed of.

(URMILA JOSHI-PHALKE, J.)

Sarkate