



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

CRIMINAL APPLICATION (BA) NO. 717 OF 2025

Bajrang s/o Pralhad Chavan and others 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. S.V.Sirpurkar, counsel for applicants.

Mr. Amit Madiwale, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 25/07/2025.

1. The applicants came to be arrested on 25/05/2025 in connection with Crime No. 202/2025 registered with Police Station Borgaon Manju, Tq. and District Akola for the offence punishable under Sections 109, 118(2), 3(5), 352 of the Bhartiya Nyaya Sanhita, 2023.

2. The crime was registered on the basis of a report lodged by wife of the injured, Gopal, on an allegation that on the day of the incident, the present applicants and other co-accused came to the spot holding weapons in their hands and assaulted them. As far as applicant No. 1 is concerned, it is alleged that he has assaulted the informant by means of an Axe, and applicant Nos. 2 and 3 have assaulted the wife of the injured. 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 considering the allegation levelled against the present applicants, as far as the role of the assault by knife is concerned, which is attributed to other co-accused. The injured Mangal has sustained the simple injury, who allegedly assaulted by applicant No. 1, and applicant Nos. 2 and 3 have allegedly assaulted the wife of the injured. She has also sustained injuries in the nature of contusions. Now, all the injured are discharged from the hospital, and there is no apprehension of death, in view of that, they be released on bail.

4. Learned APP strongly opposed the said application and submitted that, even after the incident, there was a theft at the hands of the present applicants, and if they are released on bail, there is every apprehension that they would tamper with the prosecution evidence as well as threaten the witnesses. 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 the role of assault is attributed to the present applicants, but the assault is on the informant - Mangal and the wife of the injured Gopal. As far as their injuries are concerned, Mangal has sustained simple injuries, whereas the wife of the injured Gopal has sustained grievous injury, but now she is discharged from the hospital. Moreover, the

investigation appears to be completed, and therefore, their further custodial interrogation is not required. In view of that, the application deserves to be allowed by certain conditions. Accordingly, I proceed to pass the following order

ORDER.

- a] The criminal application is **allowed**.
- b] The applicants – ***(1) Bajrang s/o Pralhad Chavan (2) Roshan s/o Sahebrao Suryawanshi (3) Pawan s/o Gokulrao Pawar,*** shall be released on bail, in connection with crime No. 202/2025 registered with Police Station Borgaon Manju, Tq. and District Akola for the offence punishable under Sections 109, 118(2), 3(5), 352 of the Bhartiya Nyaya Sanhita, 2023, on furnishing P.R. Bond of Rs. 25,000/- each with one solvent surety of like amount.
- c] The applicants shall not enter into the village of Borgaon Manju till the culmination of the trial.
- d] The applicants shall furnish their detailed address along with the address proof where they intending to reside along with the address proof.

- e] The applicants shall not induce, threat or promise any witnesses who are acquainted with the facts of the case, either physically or through electronic media.
- f] The applicants shall attend the proceedings before the trial Court without seeking any exemption unless there are exceptional circumstances.

The criminal application is **disposed of**.

[URMILA JOSHI-PHALKE, J.]