



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

CRIMINAL APPLICATION(BA) NO. 1063 OF 2025

Shubham @ Khushal Somraj Sarbhaiyya Vs. State of Maharashtra

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Office notes, Office Memoranda of  
Coram, appearances, Court's orders  
or directions and Registrar's orders.

Court's or Judge's Orders.

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Mr.C.R.Thakur, counsel for the applicant.  
Mr. Anant Ghogare, APP for the State.

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATE : 07/11/2025

1) The applicant is arrested in connection with Crime No.667/2024 registered with Police Station Saoner, district Nagpur for the offence punishable under Sections 118(1), 125, 3(5), 121(1), 310(2), 111(2)(b), 313, 317(3), 317(4), 61(2) of Bharatiya Nyaya Sanhita, 2023.

2) The applicant was arrested as he and his companions were found attempting to commit dacoity. It is the case of the prosecution that the night security guard of WCL Waghoda found that there was some suspicious activity going on at about 4.30 A.M. therefore, he stopped the vehicle. WCL employees by name Rajesh Salam and Niranjan Patil alighted from the said vehicle. Stones and sticks were

pelted on them by 10-15 persons, who had came there for the purpose of theft. While the security guard tried to stop these persons, he and Atul Gawande were assaulted by sticks and stones due to which they received injuries. Upon receipt of complaint, offence is registered.

3) The learned counsel for the applicant has stated that the applicant was not identified in the T.I. Parade. There is no recovery from this applicant. There are no antecedents against this applicant. The injuries caused to the injured are of simple in nature. One of the accused is already released on bail. The application is rejected as organized crime is registered against this applicant. While granting bail to the other co-accused, the Court has already observed that the stringent condition of the organized crime under the Maharashtra Control of Organised Crime Act, 1999 will not be attracted in this case and therefore, granted the bail. As there are no antecedents, prayed to release the applicant on bail.

4) Learned APP has opposed the application stating that though he is not identified however, it appears from the CDR that he was constantly in contact with other co-accused and his presence was there. Considering the presence of the applicant the application be rejected.

5) Heard both the sides.

6) The applicant is of 20 years of age. The allegations about committing dacoity are made against this applicant. There are no any antecedents against this applicant. He was not identified in T.I. Parade. As the charge-sheet is filed, further custody of this applicant is not required. Hence the following order:-

- i) Criminal application is allowed.
- ii) Applicant- Shubham @ Khushal Somraj Sarbhaiyya be released on bail in connection with Crime No.667/2024 for the offence punishable under sections 118(1), 125, 3(5), 121(1), 310(2), 111(2) (b), 313, 317(3), 317(4), 61(2) of Bharatiya Nyaya Sanhita, 2023 on his furnishing PR. Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with one surety in the like amount.
- iii] The applicant shall not in any way tamper with the prosecution evidence.
- iv] The applicant shall not pressurize or threaten the prosecution witnesses.

v] The applicant shall co-operate the Investigation Officer.

7. The Criminal Application stands **disposed of** accordingly.

8. Pending application/s if any, is/are stand/s disposed of.

**JUDGE**