



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

**Criminal Application (BA) No. 1198 of 2025**

Abhish @ Abhay S/o Gajanan Surjuse

**Versus**

The State of Maharashtra through Police Station Officer, Police Station  
Karanja (Ghadage), Tq. Karanja, Dist. Wardha

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Office Notes, Office Memoranda of  
Coram, appearances, Court's Orders  
or directions and Registrar's order

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Court's or Judge's Order

Ms. Punam Pisurde, Advocate for the applicant.

Shri C.A.Lokhande, APP for the non-applicant/State.

**CORAM : NIVEDITA P. MEHTA, J.**  
**DATED : 26<sup>th</sup> NOVEMBER, 2025.**

The present application is filed under Section 483 of the *Bharatiya Nagarik Suraksha Sanhita, 2023* ("BNSS 2023") seeking regular bail in connection with Crime No. 0441 of 2025 dated 14.06.2025 registered at Police Station Karanja (Ghadage), Taluka Karanja, District Wardha, for offences punishable under Sections 109, 115(2), 352 and 3(5) of the *Bharatiya Nyay Sanhita, 2023* ("BNS 2023").

2. As per the prosecution case, on 14.06.2025 at about 8:30 a.m., the informant Archana w/o Sanjay Surjuse was sitting in front of her house when accused No. 3 allegedly approached, abused her, pulled her by

the hair, dragged her to the ground, and assaulted her with fists. Upon hearing the commotion, the informant's husband and son intervened. At that juncture, accused No. 1 and accused No. 2 (the present applicant) allegedly arrived armed with an axe and a wooden log, and assaulted the husband of the informant on his head and back. The present applicant is specifically alleged to have assaulted the informant's husband with a wooden log, causing him grievous injuries. The injured were thereafter taken to the hospital for treatment.

**3.** Learned counsel for the applicant submits that the applicant is a second-year civil engineering student at P.D. Patil Institute Polytechnic, Talegaon (S.P.), Tah. Ashti, District Wardha. It is contended that the applicant has no criminal antecedents and that the allegations against him are limited to causing injuries with a wooden log. It is further submitted that the ingredients of the offences invoked are not attracted in the present case and that continued incarceration, considering his age and educational pursuits, would adversely affect his future prospects.

**4.** Per contra, learned Additional Public Prosecutor opposes the bail application. He submits that both the husband and son of the informant sustained grievous injuries as reflected in the medical certificates.

It is further submitted that the dying declaration of the husband of the informant, Sanjay Surjuse, has been recorded, wherein he has specifically named the present applicant as the assailant who struck him on the back with a wooden log. The medical papers reflect multiple lacerated wounds necessitating hospitalization. According to the prosecution, the assault by the applicant amounts to an attempt to commit murder. It is also urged that since the parties are neighbours residing in close proximity, there exists a likelihood of the applicant repeating the offence or intimidating the victims if released on bail.

5. Having considered the rival submissions, the material placed on record, and the fact that the applicant is a student pursuing higher education, this Court is of the view that prolonged incarceration may adversely impact his academic progress and future prospects. At the same time, the nature of allegations warrants imposition of stringent conditions to balance the interest of justice and to address concerns regarding possible repeat conduct or interference with prosecution witnesses. In the totality of circumstances, this Court finds that the applicant can be enlarged on bail subject to strict conditions.

6. Accordingly, the application is allowed, subject to the following conditions:

ORDER

- i. Applicant - **Abhish @ Abhay S/o Gajanan Surjuse** be released on bail in connection with Crime No. 0441 of 2025 dated 14.06.2025 registered at Police Station Karanja (Ghadage), Taq. Karanja and Dist. Wardha for offences punishable under Sections 109, 115(2), 352 and 3(5) of Bharatiya Nyay Sanhita, 2023, on his furnishing P.R.Bond in the sum of Rs.20,000/- (Rupees Twenty Thousand only) with one surety in the like amount.
- ii. The applicant shall not enter the village of Pipri, Tq. Karanja, Dist. Wardha till the conclusion of the trial.
- iii. The applicant shall not in any way tamper with the prosecution evidence or pressurize or threaten the prosecution witnesses.
- iv. The applicant shall report to the concerned Police Station on 1<sup>st</sup> Saturday of each calendar month till conclusion of the trial.

[NIVEDITA P. MEHTA, J.]