



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (BA) NO.1185 OF 2024

Shri Yuvraj Sukkal Gajbhiye

.vs.

State of Maharashtra, through Ambazari police station, Nagpur

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions Court's or Judge's orders.
and Registrar's Orders.

Mr P. J. Pandey, Advocate for the applicant
Mr M. K. Pathan, APP for the non-applicant/State

CORAM : G.A. SANAP J.

DATE : JANUARY 15, 2025

Heard.

2. This is an application for regular bail by the applicant/accused, who has been arrested in a crime bearing No.703 of 2024 registered with Ambazari Police Station, Nagpur for the offences punishable under Sections 109, 115(2), 125(a), 281, 296, 351(3) of the Bhartiya Nyaya Sahnita, 2023 and Section 4/25 of the Arms Act.

3. Learned Advocate for the applicant/accused submitted that from the date of his arrest i.e. 06.11.2024 he has been in custody. The case of attempt to murder of the informant is false. It is submitted that there was a quarrel on account of a dash to the vehicle. But it has

been given the colour of an attempt to commit murder. His further detention is not necessary. The accused is ready to abide by the conditions that may be imposed by the Court.

4. Learned APP submitted that the accused has criminal antecedents. In the past, he was involved in similar crimes. It is submitted that considering his nature and terror in the locality, his release on bail would impact the psyche of the witnesses. Learned APP submitted that the investigation is almost over and the charge-sheet can be filed in a couple of weeks.

5. I have gone through the record and proceedings. The chart of the previous crimes registered against the accused is at Annexure R-I. Prior to this crime, crime bearing No. 572 of 2020 was registered against him under Section 326 of the Indian Penal Code. As far as remaining crimes are concerned, those crimes cannot be considered for denying the bail to the accused. I have gone through the FIR. It is the case of the prosecution that the accused tried to kill the informant. The accused used a knife to assault the informant. It is apparent on perusal of the report that the informant had not sustained any injury or knife blow in the incident.

There are eyewitnesses to the incident. At the time of the incident, the accused was driving the auto-rickshaw. The accused was arrested on 06.11.2024. The investigation is almost over. The accused has been remanded to magisterial custody. The detention of the accused is not necessary for custodial interrogation. Considering the nature of the crime registered against the accused and the fact that he has been behind bars since 06.11.2024, it would be appropriate to grant him bail. The apprehension *put forth* by the learned APP can be taken care of by imposing appropriate conditions. Hence, the following order:

- i) The Criminal application is allowed.
- ii) Applicant- Yuvraj Sukkal Gajbhiye be released on bail in Crime No.703 of 2024, registered with Police Station Ambazari, District: Nagpur for the offences punishable under Sections 109, 115(2), 125(a), 281, 296, 351(3) of the Bhartiya Nyaya Sahnita, 2023 and Section 4/25 of the Arms Act on his furnishing P.R. bond in the sum of Rs. 15,000/- (Rupees Fifteen

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 attend the concerned police station on every Saturday between 7 p.m. and 9 p.m. till filing of charge-sheet.

vi] The applicant shall co-operate the investigation officer.

6. The Criminal Application stands **disposed of** accordingly. Pending application, if any, also stands disposed of.

(G. A. SANAP, J)