



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

CRIMINAL APPLICATION (BA) NO. 92 OF 2025

Gourav S/o. Ghanshyam Ambade and another

.vs.

State of Maharashtra

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

Mr S. D. Kalyani, Advocate for the applicants
Mr Trupti Udeshi, APP for the non-applicant/State

CORAM : G.A. SANAP J.

DATE : JANUARY 31, 2025

The applicants have made this application for bail in Crime No.845 of 2024 registered with Jaripatka police station, District Nagpur.

2. The applicants have been arrayed as an accused Nos. 3 and 4 in the above crime.

3. Learned Advocate for the applicants submits that no specific role in the main incident of assault with knife by the son of Ganpat has been attributed to the applicants. As per the case of the prosecution, they beat with kicks and fist blows to another person by name Himanshu. No role in the assault, on the injured, has been attributed to them. The injured has been discharged from hospital. The learned Advocate submits that considering the role attributed to the applicants their

further detention is not necessary and warranted. They are ready to abide by the condition that may be imposed by the Court.

4. Learned APP submits that the applicants have been roped in the crime on the basis of Section 34 of the Indian Penal Code. They cannot be given benefit at this stage, on the basis of the submissions advanced by the learned Advocate. It is pointed out that the investigation is at preliminary stage and therefore, the possibility of tampering with the prosecution evidence cannot be ruled out if they are enlarged on bail.

5. I have gone through the FIR and record. It is apparent that on trivial reason the quarrel started and culminated in the assault on the informant. The son of Ganpat by name Sumit Meshram, who is juvenile mounted an assault with the knife on the informant. Specific role has been attributed to the Ganpat, the father of the juvenile in the incident. As far as the applicants are concerned, the FIR is silent about their role in the incident. They have been remanded to judicial custody. The injured has been discharged from the hospital. The weapon has been recovered. In the facts and circumstances, considering the role attributed to the applicants their further detention is not necessary as well

as warranted. The apprehension put forth by the learned APP can be taken care of by imposing appropriate condition. In the facts and circumstances, I am inclined to grant bail to the accused/applicants. Hence, the following order:

- i) The Criminal application is allowed.
- ii) Applicant No.1 -Gourav S/o. Ghanshyam Ambade and applicant No. 2 Raunak S/o. Sidharth Choudhari be released on bail in Crime No.845 of 2024, registered with Jaripatka Police Station, Nagpur for the offences punishable under Sections 109, 115(2), 296, 351(3) and 3(5) of the Bharatiya Nayaya Sanhita, 2023 on them furnishing P.R. bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with one surety in the like amount each.
- iii] The applicants shall not in any way tamper with the prosecution evidence.
- iv] The applicants shall not pressurize or threaten the prosecution witnesses.

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

vi] The applicants shall co-operate the investigating officer.

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

(G. A. SANAP, J)

Namrata