



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

CRIMINAL APPLICATION (BA) NO. 843 OF 2025

(Raju S/o Kokoshi Joi & Ors.

Vs.

State of Maharashtra, Thr. PSO, Police Station Gatta Jambhiya, District
Gadchiroli)

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. Madhur Deo, Advocate for the Applicant.
Ms. H.N. Prabhu, APP for the Non-applicant/State.

CORAM: URMILA JOSHI-PHALKE, J.

DATED : 8th AUGUST, 2025

1. The Applicants are arrested in connection with Crime No.1/2024 registered with Police Station Gatta (Jambhiya), District Gadchiroli for the offences punishable under Sections 143, 147, 148, 307, 341, 504, 506 r/w Section 149 of the Indian Penal Code and Section 3(2) of the Maharashtra Prevention and Eradication of Human Sacrifice and other Inhuman, Evil and Aghori Practices and Black magic Act, 2013.

2. On the basis of the report lodged by the injured / victim the offence came to be registered against the present Applicant and the other co-accused. It is alleged that the father of the accused persons expired prior to two months before this incident and they have suspected that the present injured has caused his death by use of black magic and,

therefore, there was an enmity between them. On the day of incident, the present Applicant and the other co-accused assaulted him by means of fist and kick blows, tide his hands and legs and thereafter, other co-accused have assaulted him by means of Sabbal (iron bar) therefore, he sustained the grievous injuries and was hospitalized. On the basis of the said report, Police have registered the crime against the present Applicants and other co-accused.

3. Heard learned Counsel for the Applicant, who not press the Application as far as the Applicant No.1/Raju S/o Kokoshi Joi, Applicant No.2/Dinkar S/o Baju Joi and Applicant No.4/Rainu S/o Malu Pungati. As far as the other Applicants are concerned, he submitted that, a limited role is attributed to them to the extent of tying the injured by rope. With the similar role, the other co-accused Mainu Dunga Joi who is already released on bail, and therefore, the ground of parity is available to the Applicant Nos. 3, 5, 6 and 7. He submitted that, considering the limited role attributed to them, their further incarceration are not required. In view of that, they be released on bail.

4. Learned APP strongly opposed the said Application and submitted that in furtherance of the common object the present Applicants have assaulted the injured, and therefore, the Application deserves to be rejected.

5. On hearing both sides and on perusal of the investigation papers, it reveals that the allegation against the Applicant Nos. 3, 5, 6 and 7 is only to the extent of tying the

rope around the injured. With the similar role, the other co-accused is already released on bail. Thus, the ground of parity is available to the present Applicants. In view of that the Application deserves to be allowed. Accordingly, I proceed to pass following order:

ORDER

- i.** The Application is **partly allowed**.
- ii.** The Application on behalf of the Applicant No.1/Raju S/o Kokoshi Joi, Applicant No.2/Dinkar S/o Bajju Joi and Applicant No.4/Rainu S/o Malu Pungati is already not pressed, hence disposed of.
- iii.** The Applicant No.3/ Shankar S/o Raju Joi, Applicant No.5/Zuru S/o Malu Pungati, Applicant No.6/Baju S/o Kokoshi Joi and Applicant No.7/Vinu S/o Muru Holi, in connection with Crime No.1/2024 registered with Police Station Gatta (Jambhiya), District Gadchiroli for the offences punishable under Sections 143, 147, 148, 307, 341, 504, 506 r/w Section 149 of the Indian Penal Code and Section 3(2) of the Maharashtra Prevention and Eradication of Human Sacrifice and other Inhuman, Evil and Aghori Practices and Black magic Act, 2013, are released on bail, on executing P.R. Bond in the sum of Rs.25,000/- (Rs. Twenty Five Thousand) each with one solvent surety in the like amount.

- iv.** The Applicants shall not enter into the vicinity of Village Jambhiya, Taluka Etapalli, District Gadchiroli, till the culmination of trial.
 - v.** The Applicants shall not induce, threat or promise any witnesses who are acquainted with the facts of the case either personally or by way of electronic media.
 - vi.** The Applicants shall attend the proceedings before the Sessions Court without seeking any exemption unless there are exceptional circumstances.
 - vii.** The contravention of any of the conditions would lead to the cancellation of bail.
- 6.** Pending application/s, if any, shall stand disposed of accordingly.

(URMILA JOSHI-PHALKE, J.)