



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

CRIMINAL APPLICATION [BA] NO. 831 OF 2025.

Mohd. Usman @ Doctor Mohd Rabi Rayeem

-VERSUS-

State of Maharashtra.

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

Court's or Judge's Orders

Shri A.S. Manohar, Advocate for the Applicant.
Shri A.M. Chutke, A.P.P. for Non-applicant /State.
Shri R.R. Rajkarne, Advocate for the Informant.

CORAM : M.M. NERLIKAR, J.

DATE : JANUARY 09, 2026.

Heard learned Counsel for the parties.

2. The present application is filed by the applicant under Section 483 of the Bhartiya Nagrik Suraksha Sanhita, 2023 for grant of regular bail in connection with Crime No.695/2023 registered with Lakadganj Police Station, Nagpur for the offence punishable under Sections 307, 504, 506, 323 read with Section 34 of the Indian Penal Code.

3. The informant has lodged the report alleging that on 15.12.2023 at about 11.45 p.m. randomly the applicant started hurling abuses using filthy language in front of their

house. When the informant along with her father and uncle went outside of their house, the applicant had allegedly left. After some time while they were standing outside, the applicant again came by two-wheeler and his father enquired as to why he was abusing them. Again he started using filthy language against them and at that time the applicant's son handed him one iron rod, by which the applicant attacked the informant on his head, causing bleeding injury. Based on these allegations, first information report came to be lodged.

4. It is the submission of the learned Counsel for the applicant that though a single blow by iron rod is attributable to the applicant, the injury certificate placed on record shows that the injury is simple. He further submitted that the applicant is in jail from last 11 months and the charge sheet is already filed and there is nothing else to be recovered from the applicant. He therefore, prays that the applicant be released on bail.

5. On the other hand, the learned A.P.P. submits that so far as Section 307 of the Indian Penal Code is concerned, it is immaterial whether the injury is grievous or simple. There

are 17 offences registered against the applicant. He further submits that the applicant was absconding for about 1 ½ years. The first information report was registered on 16.12.2023, while the accused was arrested on 20.02.2025.

6. The learned Counsel appearing for the informant opposes the application by submitting that considering the criminal history of the applicant, bail cannot be granted to him. He further submits that the applicant is not a law abiding citizen and serious offences are registered against him. He is creating havoc in the society, and therefore, does not deserve to be enlarged on bail.

7. Upon hearing the learned Counsel for the parties, it appears to me that the role attributed to the present applicant is that he has given one blow on the vital part of the body of the informant Mohd. Ayub. The injury certificate shows that the injury is simple, however, the fact remains that now charge sheet is filed and the applicant is in jail since last 11 months. No doubt there are criminal antecedents against the applicant, however, in all those cases either the applicant was granted bail or he was acquitted, and some cases pertain to non-cognizable

offences. Further nothing it to be recovered from the applicant, the investigation is complete and charge sheet is filed. Considering these facts and circumstances, I am inclined to grant bail to the applicant. Hence the following order.

ORDER

- (i) Criminal Application is allowed and disposed of.
- (ii) The applicant /accused Mohd. Usman @ Doctor Mohd Rabi Rayeen be released on regular bail in connection with Crime No.695/2023 registered with Lakadganj Police Station, Nagpur for the offence punishable under Sections 307, 504, 506, 323 read with Section 34 of the Indian Penal Code, on his furnishing P.R. Bond of Rs. 25,000/- with one surety in the like amount.
- (iii) The accused shall not enter within the territorial jurisdiction of Satranjipura, Itwari, Nagpur.
- (iv) The accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also shall not tamper with the evidence.
- (v) The accused shall provide his residential address and cell number to Police Station concerned and shall not change his place of residence without prior intimation to the Investigating Agency.

- (vi) The accused shall attend each and every date of trial regularly. If he fails to attend the trial for two consecutive dates, or fails to comply with the aforesaid conditions, his default would entail the State to ask for cancellation of bail.
- (vi) Fees of the appointed Counsel be quantified and paid as per Rules.

JUDGE