

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

CRIMINAL APPLICATION (BA) NO. 212/2026
(Roshan S/o Balu Ramteke Vs. The State of Maharashtra)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mrs. Kirti Deshpande, Advocate for applicant.
Mr. A. Madiwale, APP for non-applicant/State.
Ms. Neha, N. Kinhekar, Advocate assist to prosecution.

CORAM: M. M. NERLIKAR, J.

DATED : 16/03/2026.

Heard.

2. By this application, the applicant is seeking bail in connection with Crime No. 457/2025 registered with Police Station Warud, Tah. Warud, Dist. Amravati for the offence punishable under Sections 109(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The facts of the prosecution story are that the informant is working as a servant at the shop of one vegetable vendor. On 09.07.2025, after concluding her work, when she was proceeding towards her house at around 8.00 p.m., two persons came from behind and one of them was wearing white shirt and his face was wrapped with white coloured Dupatta and said person smeared her face with chilly powder which caused immense pain to her.

That, she became frightened and she started shouting loudly and ran towards her house. That thereafter, the same person who had worn a Dupatta gave blows of knife on chest, back and left cheek. That, the victim tried to defend herself due to which she sustained one knife injury which caused a bleeding injury on left hand. When she shouted loudly, her mother and brother came there and they took her to the hospital. Accordingly, the police personnel visited the spot and thereafter to the hospital and recorded the statement of the victim. On the basis the said statement, FIR was registered and investigation was set into motion.

4. At the outset, it is to be noted that the learned counsel appearing for the victim has given no objection to grant bail by filing affidavit-in- reply. She has tendered across the bar the affidavit in reply which is taken on record.

5. The learned counsel for the applicant submits that the father of the applicant was having illicit relations with the victim and due to that fact the applicant who is the son has inflicted blows with the help of knife on the victim.

After perusal of the injury certificate, admittedly it appears that there are three stab injuries on the victim. The first injury appears to be simple in nature. It is not clear so far as the other two injuries are concerned whether those are simple or grievous in nature. No doubt to attract Section 307 of the Indian Penal Code, it is not necessary that injuries should be inflicted, however it is a matter of fact that three stab injuries are on the person of the victim. The learned counsel for the applicant submits that this Court has already released one of the co-accused namely Jamir @ Jammu Shaha Mehbub by an order dated 08/01/2026 in Criminal Application (BA) No.1247/2025. According to her, as the matter is settled between the parties, considering the relationship, the applicant be released on bail.

6. On the other hand, the learned APP vehemently opposes the application and submits that the statement of the victim was recorded, wherein she has specifically made allegations against the applicant. He submits that the brother of the victim has chased the applicant and he found that the applicant had inflicted the blows. He further submits that considering the nature of injuries

inflicted by the applicant, the applicant does not deserve to be granted bail.

7. I have considered the rival submissions. It appears from the arguments advanced by the learned counsel for the applicant and learned counsel for the victim that the matter is settled between the parties. To that effect, the victim has also given no objection by filing affidavit-in-reply. In this view of the matter, I am inclined to grant the bail. Hence, the following order:-

ORDER

- (i) Criminal application is allowed and disposed of.
- (ii) The applicant/accused Roshan S/o Balu Ramteke, be released on regular bail in connection with Crime No. 457/2025 registered with Police Station Warud, Tah. Warud, Dist. Amravati for the offence punishable under Sections 109(1) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 on his furnishing P.R. Bond of Rs. 25,000/- with one surety in the like amount.
- (iii) 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.
- (iv) The accused shall provide his residential address and cell number to the concerned Police Station and shall not

change his place of residence without prior intimation to the concerned Investigating Officer.

(v) The applicant/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.

(M. M. NERLIKAR, J.)

Gohane