

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

CRIMINAL APPLICATION (BA) NO. 352/2026
 (Shubham S/o Dilip Satpaise Vs. 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

Mr. K.Y. Mandpe, Advocate for applicant.
 Mrs. Mayuri H. Deshmukh, APP for non-applicant/State.

CORAM: M. M. NERLIKAR, J.
DATED : 01/04/2026.

Heard.

2. By this application, the applicant is seeking bail in connection with Crime No.405/2025 registered with Police Station Sakkardhara, Nagpur for the offences punishable under Sections 109, 296, 351(3), 3(5) of the Bharatiya Nyaya Sanhita, 2023, Sections 4, 25 of the Arms Act, Section 135 of the Maharashtra Police Act.

3. Brief facts of the prosecution story are that the informant Shubham Shende lodged the report on 15/09/2025 alleging therein that on 14/09/2025, when the informant was at his home in the night at 9.40 p.m., his cousin brother namely Rubal informed him that the informant's brother namely Rohit has been injured. Thereafter, immediately informant reached to the spot, he saw that Rohit, his brother and one Karan Hinge were

lying in an injured condition. On inquiry, Rohit informed about the incident of assault by the present applicant along with other accused persons and that the present applicant had injured Rohit and Karan with the help of knife.

4. The learned counsel for the applicant submits that though there are serious allegations against the applicant, however, the fact remains that now the charge-sheet is filed and investigation is complete. The injury certificate discloses that all the injuries are simple in nature and therefore, it cannot be said that Section 109 of the Bharatiya Nyaya Sanhita would be applicable. The applicant is behind bars since 15/09/2025. He therefore submits that the applicant be released on bail.

5. On the other hand, the learned APP vehemently opposes the application and submits that perusal of the statements of victims namely Rohit and Karan would disclose that they have saved themselves from the clutches of the applicant. Had it been the case that they would have not avoided the blow, the same would have been inflicted on the head and there was every possibility that the victim

Rohit would have died. The injuries are though classified as simple injuries, however the said injury is on the forehead and the size of the injury is 10 x 2 x 1 cm. She has also invited my attention to the weapon used, which is a huge knife used for cutting Jack-fruit. She further submitted that there are antecedents against the applicant, including the offences under Sections 302 as well as 307 of the Indian Penal Code, which are serious crimes, therefore she submits that considering the fact that the applicant is a history sheeter, he does not deserve to be granted bail.

6. I have considered the rival submissions. Admittedly, the first information report was registered by the brother of the victim Rohit. Upon perusal of the statements of Rohit and Karan, it discloses that the incident took place on 14/09/2025 at about 09.00 p.m. It appears that while playing cards the applicant lost money and he was insisting that more money be given to him. However, it was refused and therefore the applicant went home. He along with one Sonu Qureshi followed by Aditya Satpaise came at 09:30 PM with knife. Thereafter as soon as they arrived, the applicant took out the knife and the applicant has started inflicting blows on the victim Rohit

and Karan. It further appears that the applicant has chased the victim Rohit and thereafter tried to give a blow on the head of Rohit. However, the victim was able to save himself and therefore the said blow was inflicted on the left forehead of the Rohit. The size of the said injury is 10 x 2 x 1 cm. There is another injury on the back side of the victim. Perusal of the injury certificate of Karan, it shows about seven injuries on his person. One injury is on the mouth and teeth. One injury is on scalp and size of that injury is 8 x 2 x 1 c.m. There is also another injury on the frontal region of 6 x 2 x 1 c.m. size. These are serious injuries. However, those are classified as simple injuries. It is further to be noted that as many as seven crimes have been registered against the applicant including the present crime. Out of these seven crimes, there are two serious crimes registered against the applicant under Section 302 as well as Section 307 of the Indian Penal Code apart from the present crime.

7. Considering the fact that the applicant appears to be a history sheeter and committing serious offences one after another, I am not inclined to grant bail, hence the application is rejected.

(M. M. NERLIKAR, J.)

Gohane