



IN THE COURT OF DISTRICT JUDGE-1, & ASJ, GONDIA.

SESSIONS TRIAL NO. 60/2024.

(CNR NO.MHGO010009902024)

State, PSO, Gondia City -VS- Avinash Khobragade+2

ORDER BELOW EXH. 13.

(Passed on this 30th day of June, 2025)

Seen application.

2. Applicant/accused No.3 Rahul has claimed regular bail under Sec. 483 of BNSS, 2023 in connection with Crime No. 261/2024 registered with Police Station, Gondia City for the offence punishable under Sec. 307, 504, 34 of IPC.

3. Applicant/accused is in Magisterial custody

4. Earlier applicant had moved application vide Exh.11. The said application is rejected.

5. Heard.

6. In a nutshell, it is the prosecution's case that, on 20/04/2024 at 8.00 p.m. informant had been to the Khatriya Maratha Kalar Samaj Bhawan, Bajpai Chowk, Gondia to

attend marriage. At about 10.20 p.m. bridegroom came there along with DJ music. However, music was stopped. Suddenly, 2-3 boys came and told to the informant that some of the persons from sweeper colony have asked to start playing DJ music again and also requested him to accompany them to the said Samaj Bhawan.

7. Therefore, the informant went along with those boys at the said place and told the applicant, Kalu Chatre and two persons who were with them that it is already 10.00 p.m. and its time to stop playing DJ. Therefore, the applicant and the other co-accused started quarrel with informant and that co-accused took out knife and assaulted on the head and face of the informant. Similarly, Kalu Chatre assaulted him on the chest by means of knife.

8. Two unknown persons who were with applicant and Kalu abused informant and gave him fist and kick blows. Therefore, informant fled to the marriage pendol. Applicant, Kalu and two persons followed the informant and again assaulted the informant at the pendol. Therefore informant went to KTS, Hospital where he was treated and subsequently referred to Sahyog Hospital for further treatment. As such, the informant lodged report of incident to P.S. Gondia City. On the basis of the said report Crime No.261/2024 is registered

against the applicant and other co-accused under Sec. 307, 504, 34 of IPC.

9. Perused charge-sheet. Prima facie there is evidence about involvement of present applicant in the crime. There is discovery of knife. Injured/eye witness has also assigned role against the present applicant/accused. In fact, applicant and other co-accused assaulted Police Inspector.

10. That apart, applicant is facing following criminal cases which are filed at Gondia City Police Station.

- i) Crime No. 3183/2016, U/Sec. Mah. Gambling Act.
- ii) Crime No. 80/2016, U/Sec. 307, 120-B, 34 of IPC and Sec. 3/25 & 4/25 of Arms Act.
- iii) Crime No. 96/2018, U/Sec. 324, 504, 506, 34 of IPC.
- iv) Crime No. 682/2023, U/Sec. 184 of Mah. Police Act.

11. Even at Ramnagar Police Station, applicant had faced Crime No. 119/2018 U/sec. 363, 364, 302, 201, 120-B, 143, 147, 148 7 149 of IPC. In this connection applicant has filed pursis in month of May, 2025 that he is acquitted from the said crime.

12. Be that as it may, it can be seen that applicant and the other co-accused assaulted Police Inspector. Further, from the reply filed by I.O. it appears that applicant is having criminal background and no fear of law. In fact, this time

applicant assaulted Police Inspector. Therefore, though applicant has relied upon authority in case of *Vivek S/o Lekraj Barbate -Vs- State of Mah.*, Criminal Application (BA) No. 1077/2024 and *Nagesh G. Kamble -Vs – State of Mah., 2020 ALL MR (Cri) 2956*. The said authorities may not be helpful to the present applicant. Hence, the following order.

ORDER

Application [Exh.13] is hereby rejected.

Gondia.
Dated: 30.06.2025.

(A. S. Pratinidhi)
District Judge-1 & ASJ,
Gondia.

Dictated and transcribed on dais : 30/06/2025
computer
Checked by the Judge : 30/06/2025
Finally printed & signed by the Judge : 30/06/2025

IN THE COURT OF DISTRICT JUDGE-1, & ASJ, GONDIA.

SESSIONS TRIAL NO. 60/2024.
(CNR NO.MHGO010009902024)

State, PSO, Gondia City -VS- Avinash Khobragade+2

ORDER BELOW EXH. 13.

(Passed on this 30th day of June, 2025)

Keep this matter for hearing on charge on next date i.e. 14/07/2025.

Gondia.
Dated: 30.06.2025.

(A. S. Pratinidhi)
District Judge-1 & ASJ,
Gondia.