

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

CRIMINAL APPLICATION (ABA) NO. 622 OF 2021

Gajanan Namdev Bhagat

..vs..

State of Maharashtra, thr. P.S.O.

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

Court's or Judge's orders

Shri U.J. Deshpande, Advocate for applicant.
Shri M.J. Khan, A.P.P. for non-applicant/State.

CORAM : VINAY JOSHI, J.

DATED : 21/09/2021

Heard.

2. In anticipation of arrest in Crime No.453 of 2021 registered with City Kotwali Police Station, District Akola for the offence punishable under Sections 332, 353 and 504 of the Indian Penal Code, the applicant is seeking for pre-arrest protection.

3. Learned Counsel for the applicant also seeks for ad-interim protection.

4. It is the prosecution case that on the date of incident, the applicant along with his son-in-law has assaulted the public servant while discharging their official duty. The report was lodged by the Medical Officer attached to the Government Hospital, Akola. He stated that on the date of incident, the applicant's daughter was admitted in the Hospital due to poisoning. While the informant – Doctor was

attending some other patient, the applicant came to him and requested to attend his daughter as her condition is critical. The informant then went to the patient and on examination declared her, dead. After learning the things, the applicant got annoyed and physically assaulted the Government Medical Officer.

5. The non-applicant/State resisted the bail by filing affidavit-in-reply. The injury certificate of the Medical Officer is produced. *Prima facie*, it reveals that, as the applicant's daughter died in the Hospital, the applicant in disregard to the Law, has assaulted a Doctor on duty. Learned A.P.P. submitted that such type of matters are at rise which scared the doctors working in Government Hospital.

6. Having regard to these facts, applicant is not entitled for pre-arrest protection, hence, the criminal application is rejected.

JUDGE

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