

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

CRIMINAL APPLICATION (ABA) NO.183 OF 2022

Amit Ganeshrao Kadam

Versus

State of Maharashtra, through P.S.O., P.S. Lohara, Yavatmal, Tq. & Dist. Yavatmal

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri V.D. Darne, Advocate for the applicant.

Shri V.A. Thakare, A.P.P. for the non-applicant/State.

CORAM : ANIL S. KILOR, J.

DATED : 12/04/2022

1. The applicant is seeking pre-arrest bail in Crime No.44 of 2022, dated 15.02.2022, registered with Police Station Lohara, District Yavatmal, for the offence punishable under Section 381 read with Section 34 of the Indian Penal Code.

2. Shri Darne, learned counsel for the applicant submits that the applicant is a Police Constable and he has been falsely implicated in the alleged offence as he is nowhere connected in the alleged offence. It is submitted that the applicant belongs to a well-to-do family and it is improbable that the applicant would involve in such offence.

3. On the other hand, Shri Thakare, learned APP submits that there is sufficient incriminating material available on record to show the involvement of the

applicant. Accordingly, he prays for rejection of the present application.

4. I have perused the Case Diary and also the contents of the First Information Report (FIR).

5. The applicant is a Police Constable and looking at the allegations made in the FIR, the only allegations are that he supported the other co-accused persons.

6. Having considered the allegations and the fact that the custody of the applicant in this matter would not be required, as nothing is required to seize from the applicant in this case, I am of the opinion that the applicant needs to be granted pre-arrest bail. Accordingly, I pass the following order:

- a) The criminal application is **allowed**.
- b) It is directed that in the event of arrest of the applicant in Crime No.44 of 2022, dated 15.02.2022, registered with Police Station Lohara, District Yavatmal, for the offence punishable under Section 381 read with Section 34 of the Indian Penal Code, the applicant be released on bail on furnishing P.R. Bond of Rs.15,000/- with one solvent surety in the like amount.
- c) The applicant shall attend the concerned Police Station on 18, 19 and 20th April, 2022 between 10.00 a.m. to 12.00 noon and thereafter, as and when his presence is required.

d) The applicant shall not tamper with the prosecution witnesses.

e) The applicant shall not leave the jurisdiction of the concerned Police station without permission of the Court.

The criminal application is **disposed of** accordingly.

[ANIL S. KILOR, J.]