

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

CRIMINAL APPLICATION (ABA) NO.362 OF 2022

Bhushan Vitthal Bhure

Versus

State of Maharashtra, through P.S.O., P.S. Pauni, Tah. Pauni, Dist. Bhandara

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

Court's or Judge's Order

Shri A.A. Dhawas, Advocate for the applicant.

Shri A.M. Deshpande, A.P.P. for the non-applicant/State.

CORAM : ANIL S. KILOR, J.

DATED : 10/06/2022

1. The applicant is seeking pre-arrest bail in Crime No.114 of 2022, dated 27.04.2022, registered with Police Station Pauni, District Bhandara, for the offences punishable under Sections 353, 332, 379, 506, 427 and 109 of the Indian Penal Code.

2. The learned counsel for the applicant submits that this Court while allowing the co-accused persons to withdraw their applications for grant of pre-arrest bail, it was observed that the Court was not inclined to grant bail. It is submitted that the reason for showing disinclination to grant bail was that in the other pre-arrest bail applications, there were criminal antecedents against the applicants in those cases. However, this case is different, as there are no criminal antecedents to the discredit of the applicant. Moreover, the name of the applicant was not featured in the

First Information Report (FIR) and it was arraigned subsequently, on a statement of co-accused.

3. On the other hand, Shri Deshpande, learned APP opposes the present application.

4. I have perused the Case Diary and also the contents of the FIR.

5. The allegations made in the FIR are very serious and looking to the severity of the offence and the fact that other accused persons have not been granted bail, I am not inclined to grant bail to the applicant.

6. As far as one of the co-accused is concerned, whose case is similar with the case of the present applicant, as there are criminal antecedents against the said accused persons, while considering the prayer for grant of pre-arrest bail to the said co-accused, this Court had shown disinclination to grant such prayer, thereupon, the said co-accused had withdrawn the application. Thus, it cannot be said that the case of the applicant is different than the other co-accused.

7. From the Case Diary, it can be seen that *prima facie* sufficient material is there to show the involvement of the applicant in the alleged offence. Accordingly, I pass the following order:

The criminal application is **rejected**.