

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

CRIMINAL APPLICATION (ABA) NO.290 OF 2022

Manoj S/o Mahadeo Bhagat

Versus

State of Maharashtra, through P.S.O., P.S. Kalamb, Tq. Kalamb, 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 S.K. Bhoyar, Advocate for the applicant.

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

CORAM : ANIL S. KILOR, J.

DATED : 24/06/2022

1. The applicant is seeking pre-arrest bail in Crime No.239 of 2022, dated 04.04.2022, registered with Police Station Kalamb, District: Yavatmal, for the offences punishable under Sections 379, 353, 427, 323 and 506 read with Section 34 of the Indian Penal Code and Section 48 of the Maharashtra Land Revenue, Code.

2. Shri Bhoyar, learned counsel for the applicant submits that the applicant has been falsely implicated in the alleged offence and though the applicant is not involved in the alleged offence, he has been arraigned as accused.

3. He further submits that looking to the allegations made in the First Information Report (FIR), the custody of the applicant is not necessary. He lastly argues

that there is no criminal antecedents to the discredit of the applicant, in respect of similar offence. Accordingly, he prays for grant of bail.

4. On the other hand, Shri Kadukar, learned APP strongly opposes the present application.

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

6. The maximum punishment is three years and looking to the allegations made in the FIR, I am of the opinion that the custodial interrogation is not necessary. Accordingly, I pass the following order:

- a) The criminal application is **allowed**.
- b) Order passed by this Court on 27.04.2022, granting *ad interim* anticipatory bail, is confirmed with modification that the applicant shall attend the concerned Police Station as and when his presence is required.
- c) The applicant shall attend the concerned Police Station 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.]