

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

CRIMINAL APPLICATION (ABA) NO.358 OF 2022

(MANOJ NANAJI MANATKAR....VS.. STATE OF MAH. THR. PSO PS NANDGAON
KHANDESHWAR, DIST. AMRAVATI.)

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

Court's or Judge's orders

Shri S.D.Chande, Advocate for Applicants.
Ms Shamsi Haider, A.P.P. for Non-applicant/State.
Shri A.P.Kalmegh, Advocate for Non-applicant No.2.

CORAM : ANIL S. KILOR, J.
DATED : JUNE 17, 2022.

1. Heard.
2. This is an application under Section 438 of the Code of Criminal Procedure for grant of pre-arrest bail in connection with Crime No.181 of 2022, registered with Police Station, Nandgaon Khandeshwar, District: Amravati for the offences punishable under Sections 328, 366, 494, 501, 506 read with Section 34 of the Indian Penal Code.
3. The learned counsel for the applicant submits that the applicant has been falsely implicated in the alleged offence. He submits that the applicant has filed photographs along with application showing that there were intimate relations between the applicant and the complainant which further shows that therefore, the complaint is false. Accordingly, he prays for grant of pre-arrest bail.

5. The learned A.P.P. opposes the application.

6. Shri Kalmegh, learned counsel, who is assisting the prosecution on behalf of the complainant, submits that there is ample material available on record to support the prosecution case. Accordingly, he prays for rejection of the bail application.

7. I have perused the case diary, F.I.R. and the documents filed along with the present application.

8. The applicant has filed numerous photographs of the applicant and the complainant and also screen shots of the messages, exchanged between the applicant and the complainant. Thus, *prima-facie*, it appears that there was love relations between the applicant and the complainant. Moreover, *prima-facie*, there is no incriminating material available on record against the applicant. I am of the opinion that the custody of the applicant is not necessary and hence, the applicant is entitled for grant of anticipatory bail. Accordingly, I pass the following order:

- i) The application is allowed.
- ii) Order dated 27/05/2022 granting ad-interim anticipatory bail to the applicant is confirmed.

- iii) The applicant shall attend the concerned Police Station as and when his presence is required.
- iv) The applicant shall not tamper with the prosecution evidence.

The Criminal Application is **disposed of** accordingly.

JUDGE

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