

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

CRIMINAL APPLICATION (ABA) NO.375 OF 2022

Shri Umashankar @ Guddu S/o Satyanarrayan Agrawal

Versus

State of Maharashtra, through Police Station House Officer, P.S. Kotwali, Nagpur

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

Court's or Judge's Order

Shri U.K. Bisen, Advocate for the applicant.

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

CORAM : ANIL S. KILOR, J.

DATED : 16/06/2022

1. The applicant is seeking bail in Crime No.116 of 2022, dated 24.05.2022, registered with Police Station Kotwali, District: Nagpur (City), for the offences punishable under Sections 186, 353, 427 and 506 of the Indian Penal Code and Section 3 of the Prevention of Damage to Public Property Act, 1984.

2. Shri Bisen, learned counsel for the applicant submits that the custodial interrogation of the applicant is not necessary because the complete story is concocted one and the applicant has been falsely implicated in the alleged offence as he is the Chairman of the Ration Shop Owners Association and as he had made various complaints against the Zonal Officer. He accordingly, prays for grant of anticipatory bail.

3. He further submits that after granting *ad-interim* anticipatory bail, he attended the Police Station as directed by this Court and there is no complaint about misuse of liberty.

4. On the other hand, Shri Thakare, learned APP strongly opposes the present application and he has pointed out the statement of the witnesses, who were present at the spot. He further points out the SMS send by the applicant to the Zonal Manager in which he has used abusive language.

5. Looking to the photographs of damaged office and statement of eye witnesses available in the case diary, there is no doubt that the offence is very serious and custodial interrogation of the applicant is necessary.

6. Whether the story is concocted or not, is the matter of evidence. In the circumstances, I pass the following order:

The criminal application is **rejected**.

[ANIL S. KILOR, J.]