

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

CRIMINAL APPLICATION (ABA) NO.527 OF 2022

(PANKAJ RAMNARESH MISHRA....VS.. STATE OF MAH. THR. PSO PS SADAR, NAGPUR)

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

Court's or Judge's orders

Shri Swati Sakhare a/w. Shri P.K.Bezalwar, Advocate for Applicant.
Shri V.A.Thakre, A.P.P. for Non-applicant/State.

CORAM : ANIL S. KILOR, J.
DATED : JULY 22, 2022.

1. The applicant is seeking pre-arrest bail in connection with Crime No.231/2022, registered with Police Station, Sadar, Nagpur for the offence punishable under Section 353 of the Indian Penal Code, 1860.

2. The learned counsel for the applicant submits that the applicant has been falsely implicated in the alleged offence and he is not involved in the alleged crime. She further submits that the antecedents which are shown against the applicant are, in fact, are against one similarly named Pankaj Mishra and those not related with the present applicant.

3. Shri Thakre, learned APP strongly opposed the application. He points out from the case diary that there are eyewitnesses to the incident who have attributed a specific role to the applicant. He therefore, submits that as the offence is serious and some deterrence is necessary, this Court may not grant bail to the applicant.

4. I have perused the case diary and also the First Information Report.

5. From the case diary, it can be seen that the Investigating Officer has recorded statements of eyewitnesses, who corroborate the case of the prosecution that the applicant slapped the officer of the Nagpur Improvement Trust and thereby he had prevented the complainant from doing his official duty.

6. Considering the incriminating the material available on record, even if the antecedents are ignored, no case is made out by the applicant for grant of pre-arrest bail. Accordingly, I pass the following order:

The criminal application is **rejected**.

JUDGE

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