

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

CRIMINAL APPLICATION (ABA) NO. 651 OF 2022

Sheetal Avinash Hedao **Versus** State of Maharashtra, through P.S.O., P.S. Ganeshpeth, Nagpur.

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

Court's or Judge's Order

Shri R.D.Kalra, Advocate for the applicant.

Shri A.R.Chutke, A.P.P. for the non-applicant/State.

CORAM : ANIL S. KILOR, J.

DATED : 22/09/2022

Heard.

2. The applicant is seeking pre-arrest bail in connection with Crime No. 315/2022, registered with Police Station, Ganeshpeth, Nagpur for the offences punishable under Sections 384, 385 read with Section 34 of the Indian Penal Code of the Indian Penal Code, 1860.

3. In this crime, the allegations are that the accused persons asked the complainant to pay Rs. 20,000/- alleging that the complainant was selling certain medicines without prescription.

4. The name of the applicant does not reflect in the FIR. In addition to this, considering the allegations made in the FIR on its face value, it is doubtful whether Section 384 of the Indian Penal Code would attract as no money was recovered from the accused persons or there are no allegations that, the accused received Rs. 20,000/- in the alleged crime.

5. In addition to the same, the other co-accused have already been released on bail, some on regular bail and others on ad-interim anticipatory bail.

6. Thus, in the above referred back-drop, though learned APP is opposing the present application, I am of the opinion that, the custodial interrogation of the applicant is not necessary. Accordingly, I pass the following order:

- a) The criminal application is **allowed**.
- b) It is directed that in the event of arrest in connection with Crime No. 315/2022, registered with Police Station, Ganeshpeth, Nagpur for the offences punishable under Sections 384, 385 read with Section 34 of the Indian Penal Code of the Indian Penal Code, 1860, the applicant shall be released on bail on furnishing P.R. Bond of Rs.20,000/- with one solvent surety in the like amount.
- 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.

The criminal application is **disposed of**, accordingly.

[ANIL S. KILOR, J.]