

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

Anticipatory Bail Application No. 742 of 2022

Manohar S/o Madhao Barre

Versus

State of Maharashtra, through its Police Station Officer, Police Station
Bramhapuri, Dist. Chandrapur

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

Court's or Judge's Order

Shri Arjun Deshmukh, Advocate h/f Shri Rajnish Vyas,
Advocate for the applicant.

Shri V.A.Thakare, APP for the State / Non-applicant

CORAM : ANIL S. KILOR, J.

DATED : 13th DECEMBER, 2022.

The applicant is seeking pre-arrest bail under Section 438 of the Code of Criminal Procedure in Crime No. 465 of 2022 registered with Police Station Bramhapuri, Dist. Chandrapur for the offence punishable under Sections 307, 324, 325, 504 read with Section 34 of Indian Penal Code.

2. There are counter First Information Reports filed by both the groups against each other. The incident was not pre-meditated. However, suddenly it took place. The allegations against the present application are that he assaulted the informant by steel rod on his head. The medical report of the injured shows that he sustained two simple injuries. Whereas

the applicant sustained stab injury in the said assault and therefore another First Information Report was lodged.

3. It is stated that the steel rod which alleged to have used in the said offence was already seized by the police.

4. In the circumstances, considering the fact that the applicant himself was injured and he sustained stab injuries in the assault whereas, the injuries shown to have caused to the applicant are simple injury and further as the investigation is almost completed, though, the learned Additional Public Prosecutor is opposing the present application, I am of the opinion that custodial interrogation of the applicant is not necessary. But, the applicant can be asked to attend the concern police station and co-operate the investigating officer in investigation. Accordingly, I pass the following order.

- i. Criminal application is allowed;
- ii. Order dated 19th October, 2022 granting ad-interim anticipatory bail is hereby confirmed with modification that the applicant shall attend the concerned Police Station as and when his presence is required.

[ANIL S. KILOR, J.]