

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

Anticipatory Bail Application No. 749 of 2022

Eknath S/o Pandurang Kuthe and another

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 Muzammil Hussain, 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. 466 of 2022 registered with Police Station Bramhapuri, Dist. Chandrapur for the offence punishable under Sections 307, 324, 504 read with Section 34 of Indian Penal Code.

2. There are counter First Information Reports filed by both the groups against each other. After going through the allegations made against the applicant in the present First Information Report, it can be seen that the incident was not pre-meditated but it suddenly took place. The allegations of causing stab injury or

injury by steel rod to the injured person are not against the applicant, however, he was present on the spot.

3. Thus, considering the role attributed to the applicant and the fact that 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. Accordingly, I pass the following order.

- i. Criminal application is allowed;
- ii. Order dated 20th 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.]

SACHINDANAND
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