



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

ANTICIPATORY BAIL APPLICATION NO. 524 OF 2024

PADMAKAR RAVINDRA KOLI (NANNAVARE)

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Mr. Bhausahab S. Deshmukh, Advocate for Applicant

Mr. S.R. Yadav Lonikar, APP for Respondents/State

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 24th APRIL, 2024

PER COURT :

1. Applicant apprehends arrest in C.R. No.72/2024, registered with Dharangaon Police Station, Dist. Jalgaon, for offence punishable under Sections 395, 504, 506 of the Indian Penal Code.

2. FIR is lodged by Devidas Hemraj Thakur, who runs Hotel Bhau at village Naand Khurd, Tq. Erandol, Dist. Jalgaon. It is alleged that on 17/02/2024 when he was present at his hotel at 11.30 p.m., applicant accused came there along with five to six unknown persons and demanded liquor at wine shop rates, informant refused the same. Yet, informant gave one quarter liquor to applicant at wine shop rate, however, applicant insisted for more liquor at wine shop rate. Applicant, thereafter, caught hold of informant and dragged him out of the shop. All accused persons assaulted him by fists and kick blows, so also, abused and threatened to kill him. Due to assault, informant became unconscious. He was admitted in ICU

ward of Galaxy Hospital. He regained his consciousness there. Later he realised that accused persons had robbed Rs.30,000/- from the counter of his hotel.

3. Heard learned advocate for applicant and learned APP for respondents/State. Perused the investigation papers.

4. Record indicates that incident of assault on informant is recorded in CCTV footage. Applicant's involvement is made out from the CCTV footage. Applicant is habitual criminal, against whom following offences are registered:-

- 1) C.R. No.141/2016 at Dharangaon Police Station, for offence punishable under Sections 379, 186 of I.P.C.
- 2) C.R. No.131/2018 at Dharangaon Police Station, for offence punishable under Sections 143, 147, 149, 323, 427, 504, 506 of I.P.C.
- 3) C.R. No.318/2019 at Dharangaon Police Station, for offence punishable under Sections 379, 511, 188, 186 r/w 34 of I.P.C.
- 4) C.R. No.234/2020 at Dharangaon Police Station, for offence punishable under Sections 395, 384, 324, 427 of I.P.C.
- 5) C.R. No.410/2023 at Jalgaon Taluka Police Station, for offence punishable under Sections 353, 504, 506 of I.P.C.

Applicant along with other co-accused had assaulted owner of Sainath Hotel and others and robbed money from the counter, therefore, offence at C.R. No.537/2020 was registered against applicant and co-accused at Dharangaon Police Station. Applicant has committed similar offence in present crime.

5. Preventive action was taken against applicant in Chapter Case Nos. 08/2017 and 297/2023, however, the same has no any effect on applicant. Presently, Externment Proposal No.01/2024, under Section 56(1)(B), is initiated against applicant on 21/02/2024.

6. In the backdrop of these facts, applicant is not entitled for discretionary relief of anticipatory bail. His custodial interrogation is necessary for effective investigation. Hence, the application is rejected.

(NITIN B. SURYAWANSHI, J.)