



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

CRIMINAL APPLICATION (ABA) NO.129 OF 2024

(Suraj s/o Datta Khandare Vs. State of Maharashtra thr. its PSO PS Khandala, Tq.
Pusad, Dist. Yavatmal)

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

Court's or Judge's orders.

Mr. S. S. Das, Advocate for Applicant.
Ms. S. V. Kolhe, APP for Non-Applicant/State.

CORAM: URMILA JOSHI PHALKE, J.

DATE: 27th MARCH, 2024.

Apprehending the arrest at the hands of police in connection with Crime No.474/2023 registered with Police Station Khandala, Tahsil Pusad, District Yavatmal for offence punishable under Sections 308, 337 and 338 of the Indian Penal Code, the applicant approach to this Court for grant of pre-arrest bail.

2. The learned counsel for the applicant submitted that from the recitals of the FIR at the most offence attracted is under Section 304-A of the IPC. The electric wire is already seized by the police. The custodial interrogation of the present applicant is not required.

3. The learned APP strongly opposed the said application on the ground that the present applicant has

knowingly asked the injured to climb on the electric pole due to which he sustained the shock and sustained the burn injuries. Considering the gravity of the offence, the application deserves to be rejected.

4. After hearing the learned counsel and after perusal of the investigation papers it reveals that the present applicant asked the injured to climb on the electric pole by informing that the electric line is switched off but the injured has sustained the burn injuries due to the shock. Considering the recitals of the allegations immediate custodial interrogation of the present applicant is not required, as the incriminating material electric wire is already seized by the police. In view of that, the interim protection granted to the present applicant deserves to be confirmed on the same conditions. In view of that, I proceed to pass the following order:

- [i] The application is allowed.
- [ii] The interim protection granted to the present applicant – Suraj Khandare in connection with Crime No.474/2023 registered under Sections 308, 337 and 338 of the Indian Penal Code is hereby confirmed on the same terms and conditions.

5. The application is disposed of.

JUDGE

NSN