



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

CRIMINAL APPLICATION (ABA) NO.262 OF 2024
(Ramprasad s/o Namdeo Sonune Vs. State of Maharashtra)

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

Court's or Judge's Order

Mr. V.B. Rathi, Advocate for the applicant.
Mr. N. Autkar, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- MAY 6, 2024

Apprehending the arrest at the hands of police in connection with Crime No.51/2024 registered with Police Station Sakharkheda, District Buldhana for the offences punishable under Sections 143, 147, 148, 307, 354, 324, 323, 294, 506 read with Section 34 of the Indian Penal Code, the applicant approached this Court for grant of pre-arrest bail.

2. Learned Counsel for the applicant submitted that the alleged incident has occurred due to the previous dispute between the parties on account of the way which proceeds from the agricultural land of the informant. In the said incident, the informant has outraged the modesty of wife of the co-accused Pandhari and she has also lodged report about the said incident. To give the counterblast to the said report, this false FIR is lodged. He further submitted that as far as the allegation against the present applicant is concerned, which is general in nature. Immediate custodial interrogation of the present applicant is not required. After releasing him on ad-interim bail he

has cooperated with the investigating agency. In view of that, he be released on anticipatory bail.

3. Learned APP strongly opposed the application on the ground that the applicant and the co-accused in furtherance of their common object assaulted the informant and other prosecution witnesses, and therefore, the custodial interrogation of the present applicant is required and prays for rejection of the application.

4. Having heard the learned Counsel for the applicant and learned APP for the State, perused the recitals of the FIR as well as the investigation papers from which it reveals that the allegation of the assault is not against the present applicant but the general allegation is made against him. The allegation of the assault is against the co-accused. Considering the role of the present applicant against whom the general allegations are made not only in the FIR but in the statements of the witnesses also. Considering the same, the ad-interim protection granted to the present applicant deserves to be confirmed.

5. Hence, the application is allowed and the interim protection granted to the applicant vide order dated 16/04/2024 is hereby confirmed on the same terms and conditions.

6. The application is disposed of

(URMILA JOSHI-PHALKE, J.)