



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

CRIMINAL APPLICATION (ABA) NO. 277 OF 2024

Anurag s/o Sidharth Wankhade V/s 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. S.G.Karmarkar, counsel for applicant.

Mr. A.G. Mate, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 14/06/2024.

1. Apprehending the arrest at the hands of police, in connection with Crime No.263/2024 registered at Police Station Gadge Nagar, Amravati for the offences punishable under Sections 109, 117, 143, 147, 148, 353, 332, 333, 427 read with Section 149 of the Indian Penal Code, 1860; and Section 3 of the Prevention of Damage to Public Property Act, 1984; and Section 135 of the Bombay Police Act, 1951, the present applicant approached this Court for grant of pre-arrest bail.

2. As per the allegation, there was a dispute between two communities of village Pandhri-Khanapur, Anjangaon Surji, District Amravati regarding the entrance gate of the village. The applicant was a member of the Committee of the Agitators, who met the Divisional Commissioner for his demand. During the agitation, some members of the said group pelted stones and water bottles, due to which the police vehicles were damaged, and some police persons have

sustained injuries. On the basis of the said report, police have registered the crime.

3. Learned counsel for the applicant submitted that as far as the role of the present applicant is concerned, he is the only agitator and no specific role is attributed to him, therefore, custodial interrogation of the present applicant is not required.

4. Learned APP strongly opposed the said application by inviting the contention towards the observation of the Sessions Court and also submitted that a test identification parade of the present applicant is to be held.

5. After hearing learned counsel for the applicant and perused the investigation papers. As far as the role of the present applicant is concerned, he was a member of the said agitator. No specific role is attributed to him, in view of that, custodial interrogation of the present applicant is not required. Therefore, ad-interim protection granted to the present applicant deserves to be confirmed. Accordingly, I proceed to pass the following order:

ORDER

- a] The criminal application is allowed.
- b] In the event of his arrest, in connection with Crime No.263/2024 registered at police station Gadge Nagar, Amravati for the offences punishable under Sections 109, 117, 143, 147, 148, 353, 332, 333, 427 read with Section 149 of the Indian Penal Code,

1860; and Section 3 of the Prevention of Damage to Public Property Act, 1984; and Section 135 of the Bombay Police Act, 1951, the applicant – **Anurag s/o Sidharth Wankhade**, shall be released on anticipatory bail, on executing PR. Bond of Rs. 25,000/- with one solvent surety in the like amount.

- c] The applicant shall attend the concerned Police Station as and when required and shall cooperate with the investigating agency.
- d] The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the present case.

The criminal application is **disposed of**.

[URMILA JOSHI-PHALKE, J.]