



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

**CRIMINAL APPLICATION (ABA) NO.292 OF 2024**

(Ibrahim Khan s/o Amir Khan Jamadar @ Tata Vs. State of Maharashtra)

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

Court's or Judge's Order

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Mr. C.N. Wankhade, Advocate for the applicant.  
Mr. N.B. Jawade, APP for the State.

**CORAM:- URMILA JOSHI-PHALKE, J.**

**DATED :- JUNE 12, 2024.**

Heard.

2. By this application, the applicant is seeking pre-arrest bail. The applicant is apprehending arrest at the hands of police in connection with Crime No.123/2024 registered with Police Station Ramdaspath, Akola, District Akola for the offences punishable under Sections 307, 504 and 506 read with Section 34 of the Indian Penal Code, the applicant approached this Court for grant of pre-arrest bail.

3. Learned Counsel for the applicant submitted that as per the allegation, there was some dispute on account of constructing the wall which was between the hotel of the informant and the house of the present applicant. On the day of incident i.e. on 13.03.2024 during the altercation of the abuses one of the co-accused picked up the sabbal (iron rod) which was lying there and gave a blow of that sabbal (iron rod) on the head of Gulraj Khan Salim Khan son of the informant. On the basis of the

said report, police have registered the crime against the present applicant and the other co-accused.

4. Learned APP strongly opposed the said application on the ground that the weapon like sabbal (iron rod) was used in the alleged incident, his custodial interrogation is required and prayed for rejection of the prayer.

5. I have heard learned Counsel for both the parties. Perused the investigation papers which reveals that the role of the assault was attributed to the co-accused and not to the present applicant. As far as the interrogation part is concerned, the applicant was already directed to attend the concerned police station. There is no complaint that he has not cooperated with the investigating agency. Considering the role of the present applicant, his custodial interrogation is not required. In view of that, the ad-interim protection granted to the present applicant deserves to be confirmed.

6. Hence, the application is allowed and the interim protection granted to the applicant vide order dated 26/04/2024 is hereby confirmed on the same terms and conditions.

7. The application is disposed of accordingly.

**(URMILA JOSHI-PHALKE, J.)**