



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

CRIMINAL APPLICATION (ABA) NO. 556/2023

Rakesh s/o Bhojram Meshram 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. A.G.Hunge, counsel for the applicant.

Mrs. M.A.Barbde, APP for the non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 22/01/2024.

1. The present application is filed by the applicant for grant of anticipatory bail, in the event of his arrest, in connection with Crime No.223/2023 registered with Police Station Desaiganj, District Gadchiroli, for the offences punishable under Sections 353, 379, 323,504, 506 read with Section 34 of the Indian Penal Code, 1860.

2. The applicant is apprehending arrest, at the hands of the Police, as the crime is registered against the present applicant on an allegation that on 06/06/2023, a secrete information was received by the informant therefore, he along with other staff intercepted one vehicle numbered as Pockland Tata Hitachi X200LS, and he found that unauthorizedly and illegally, the applicant and other co-accused transporting the sand therefore, the informant has asked them to park the vehicle, but informant was manhandled and abused by the present applicant, and the other co-accused on the basis of the said report, the police have registered the crime.

3. Learned APP strongly opposed the present application on the ground that the applicant is involved in the crime alleging that Government Official was man handled while transporting the sand illegally. Though this Court has directed to remain present, the applicant has not co-operated with the investigating agency and hence, the application deserves to be rejected.

4. Having heard learned counsel for the applicant and learned APP for the State, perused the investigation papers and the FIR.

5. Moreover, the FIR shows that the allegation is only to the extent of manhandling and abusing the informant. The custodial interrogation is not required and therefore, this Court has released the applicant on interim bail. Considering the allegation as it is, admittedly, the custodial interrogation of the present applicant is not required however, the some conditions required to be imposed on the present applicant. In view of that, interim relief granted to the present applicant deserves to be confirmed. Accordingly, I proceed to pass following order:

- a) In the event of his arrest, in connection with Crime No.223/2023 registered with Police Station Desaiganj, District Gadchiroli, for the offences punishable under Sections 353, 379, 323,504, 506 read with Section 34 of the Indian Penal Code, 1860, the applicant is released on ad-interim anticipatory bail on executing PR.

bond in the sum of Rs.25,000/- with one or two sureties in the like amount.

- b) The applicant shall attend the concerned Police Station once in a week on Sunday between 10.00 a.m. to 01.00 noon and shall cooperate the investigating agency.
- c) On failure to attend the concerned Police Station, the anticipatory bail granted to the present applicant deserves to be cancelled.
- d) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.

The criminal application is **disposed of**.

[URMILA JOSHI-PHALKE, J.]