



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

CRIMINAL APPLICATION (ABA) NO. 586 OF 2024

Dheeraj Bhagwat Panditkar 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

Ms, A.A. Agrawal, counsel for applicant.
Mr. K.R. Lule, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 30/08/2024.

1. Present application is for grant of anticipatory bail, in connection with Crime No.513/2024 registered with Police Station Chikhali, District – Buldhana, for the offence punishable under Sections 105 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. The allegation against the present applicant and other co-accused is that they, along with the deceased, have attended the birthday party, and in that birthday party, one of the friends, Arif Khan, has brought a poisonous snake, and the deceased has taken it in his hand, and the said snake bites him, and his death is caused. On the basis of said report, police have registered the crime.

3. Learned counsel for the applicant submitted that the alleged incident is merely an accident. The applicant as well as the deceased both were not knowing it was a poisonous

snake, and he has taken it in his hand, and unfortunately the death of the deceased is caused. Thus, considering the recitals of the FIR, no offence is made out against the present applicant. In view of that, he be protected by granting anticipatory bail.

4. Learned APP strongly opposed the said application and submitted that the custodial interrogation of the present applicant is required as the conduct of the present applicant is that, after the death of the deceased, they brought the dead body inside the house of the deceased. In view of that, the prayer for grant of anticipatory bail deserves to be rejected.

5. After hearing learned counsel for the applicant and learned APP for the State, perused the investigation papers, from which it reveals that accidentally the deceased has taken the snake in his hand, and he sustained the bite injury, and therefore, his death is caused. Thus, considering the custodial interrogation of the present applicant is not required, the interim protection granted to the present applicant deserves to be confirmed. Accordingly, I proceed to pass the following order:

ORDER

- a] The interim protection granted to the present applicant by order dated 14/08/2024 is hereby confirmed by further modifying the condition that, the applicant shall attend the

concerned police station as and when required for the investigation purpose.

The criminal application is **disposed of**.

[URMILA JOSHI-PHALKE, J.]