



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

CRIMINAL APPLICATION (ABA) NO.730 OF 2024

(Hira s/o Prakash Ghumare 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. S.D. Tatake, Advocate for applicant.
Mr. N. Autkar, A.P.P for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- OCTOBER 23, 2024.

By this application, the applicant is seeking pre-arrest bail in connection with Crime No.498/2024 registered with police station Old city, Akola for the offence punishable under Sections 352, 308(5), 3(5), 126(2) and 118(1) of the Bharatiya Nyaya Sanhita, 2023.

2. The crime is registered on the basis of report lodged by Pramod Jivraj Gaikwad on an allegation that on 09/09/2024 at about 1.00 AM he was travelling from the Washim bypass and was proceeding to bring motorcycle, at that time, he was restrained by the five unknown persons and by assaulting him he was threatened to bring Rs.5.00 lakhs. On the basis of said report, police have registered the crime against the present applicant.

3. Learned Counsel for the applicant submitted that as far as the involvement of the present applicant is concerned he is not identified by the informant. His name is not mentioned in the FIR, his custodial interrogation is

not required. In view of that, he be protected by granting anticipatory bail.

4. Learned APP strongly opposed the application and submitted that there are criminal antecedents against the present applicant and similar type of the offences are registered against him. The test identification parade is yet to be held. In view of that, the application deserves to be rejected.

5. I have heard learned Counsel for both the parties. On perusal of the investigation papers it reveals that the FIR is against the unknown person. During investigation, the involvement of the present applicant is revealed. Still the identification parade is to be held. There are criminal antecedents against the present applicant which are of a similar nature. Considering the same, no *prima facie* case is made out to grant anticipatory bail to the present applicant. Hence, the application deserves to be rejected.

6. The application is rejected accordingly.

(URMILA JOSHI-PHALKE, J.)

**Divya*