



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

CRIMINAL APPLICATION (ABA) NO.741 OF 2024

(Sagar s/o Manoj Tanwani Vs. The 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. Raoka, Advocate for the applicant.
Ms S. Haider, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- NOVEMBER 21, 2024

Apprehending the arrest at the hands of police in connection with Crime No.388 of 2024 registered with Police Station Rana Pratap Nagar, Nagpur for the offence punishable under Sections 115(2), 127(1), 127(2), 351(2), 352, 3(5) of the Bhartiya Nyaya Sanhita, 2023, the applicant approached this Court for grant of pre-arrest bail.

2. The crime is registered on the basis of report lodged by Gajanan Dilip Shahu, on an allegation that he has purchased some material like sand, bricks and cement from the shop of Ashish Vinod Manglani and there amount was due from him. On 27/9/2024, this Ashish Mangnani and other co-accused abducted him, assaulted him and detained him in one room, at the relevant time, present applicant was along with them. 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 present applicant is concerned only allegation is that he was present along with the other co-accused. As far as the overt-act is concerned is not attributed to the present applicant. He has already cooperated with the investigating agency while attending the police station. His custodial interrogation is not required. In view of that, he be protected by granting anticipatory bail.

4. Learned APP strongly opposed the said application on the ground that though he has cooperated with the investigating agency but considering the allegation that he has played a vital role in abducting the informant, his custodial interrogation is required. In view of that, she prayed for rejection of the application.

5. I have heard learned Counsel for both the parties. Perused the investigation papers from which it reveals that except the presence of the present applicant, no overt-act is attributed to him. In view of that and considering the fact that he has cooperated with the investigating agency and attended the police station. There is no allegation that he has misused the liberty. In view of that, the interim protection granted to the applicant deserves to be confirmed.

6. Hence, the application is allowed.

7. The interim protection granted to the applicant vide order dated 21/10/2024 is hereby confirmed on the same terms and conditions.

8. The applicant shall attend the concerned police station once in a week on Monday between 10.00 a.m. to 01.00 p.m, till filing of the charge-sheet and shall cooperate with the investigating agency.

9. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)

**Divya*