



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

CRIMINAL APPLICATION (ABA) NO. 773 OF 2024

Prakash s/o Ramdas Ajankar 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. H.R. Gadhia, counsel h/f Mr. T.U. Tathod, counsel for applicant.
Mr. S.V. Narale, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATE : 12/11/2024.

1. Apprehending the arrest at the hands of police in connection with crime No. 464/2024 registered with police station Morshi, District Amravati for the offence punishable under Sections 121(1), 132, 351 (2), 351(3), 352 of the Bhartiya Nyaya Sanhita, 2023, the applicant approached this Court for grant of pre-arrest bail.

2. The allegation against the present applicant is levelled on the basis of a report lodged by the informant, namely Madhuri Damodar Devghare, on allegation that she is Gram Sevak at Ganeshpur, Tq. Morshi, District Amravati. On 28/09/2024, the first informant was on duty as usual, at about 10.30 a.m., a meeting was arranged at Gram Panchayat Hall for Atal Bhujal Yojna. While the meeting was in progress, the applicant entered into the meeting hall and abused them and also assaulted them by catching hold of her hand and twisted her hand. On the basis of the said

report, police have registered the crime against the present applicant.

3. Learned counsel for the applicant submitted that, as far as the allegations are concerned, there was a previous complaint filed by the wife of the present applicant, and therefore, this false FIR is lodged. He submitted that as far as the custodial interrogation is concerned, which is not required as nothing is to be seized from the present applicant. In view of that, he be protected by granting anticipatory bail.

4. Learned APP strongly opposed the said application on the ground that the public servants are assaulted by the present applicant by entering into the meeting hall, in view of that, the application deserves to be rejected.

5. After hearing learned counsel for the applicant and learned APP for the State, perused the investigation papers as well as recitals of the FIR, from which it reveals that there was an anguish on the part of the present applicant, as he was not called in the meeting. In a hot exchange of the words between themselves, this assault was by the present applicant. Considering that nothing is to be recovered from the present applicant and the injuries sustained by the injured are also simple in nature, his custodial interrogation is not required. In view of that, he can be protected by granting anticipatory bail. Accordingly, I proceed to pass the following order.

- a] In the event of the arrest, the applicant – Prakash Ramdas Ajankar, in connection with crime No. 464/2024 registered with police station Morshi, District Amravati for the offence punishable under Sections 121(1), 132, 351 (2), 351(3), 352 of the Bhartiya Nyaya Sanhita, 2023, shall be released on anticipatory bail on executing P.R. bond of Rs.25,000/- with one solvent surety in the like amount.
- b] The applicant shall attend the concerned police station as and when required for the investigation purpose and shall cooperate with the investigating agency.
- c] The Investigating Officer shall issue notice in advance if he intends to seek his presence for the investigation purpose.
- d] The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.

The criminal application is allowed and **disposed of.**

[URMILA JOSHI-PHALKE, J.]