



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

CRIMINAL APPLICATION (ABA) NO. 783 OF 2024

SAURABH S/O SUMEDH THAMKE 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. M.V.Rai, counsel for applicant.

Ms. Shamshi Haider, APP for non-applicant/State

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 27/11/2024.

1. Apprehending the arrest at the hands of police in connection with Crime No. 225/2024 registered with police station Bajajnagar, Nagpur for the offence punishable under Sections 78, 351 (4) and 351 (2) of Bhartiya Nagrik Suraksha Sanhita, 2023.

2. Learned APP placed on record the investigation papers and submitted that none of the offences is non-bailable one. No non-bailable offences are registered against the present applicant, in view of that, the application is not maintainable.

3. The application for grant of anticipatory bail is filed under Section 482 of the Bhartiya Nagarik Suraksha Sanhita, 2023, the wording in sub-section (1) itself states that when any person has reason to believe that he may be arrested on an accusation of having committed a non-bailable offence, he may apply to the High Court or the Court of Session for a direction under this section; and

that Court may, if it thinks fit, direct that in the event of such arrest, he shall be released on bail.

4. Thus, considering in the present case, not a single offence is registered against the present applicant which is non-bailable one, therefore application for grant of anticipatory bail is not maintainable.

5. In view of that, the application is disposed of as not maintainable.

[URMILA JOSHI-PHALKE, J.]