



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

CRIMINAL APPLICATION (ABA) NO. 769/2023

Prashik s/o Bhaskar Chahande 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 the applicant.

Mr. A.R. Chutke, APP for the non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 29/01/2024.

1. Apprehending the arrest at the hands of Police in Crime No. 1417/2023 registered with Police Station Wardha (City), District Wardha for the offences punishable under Sections 143, 147, 148, 452, 427, 504, 506, 307 read with Section 149 of the Indian Penal Code, 1860 and Sections 4 and 25 of the Arms Act, 1959. The applicant has approached this Court for grant of anticipatory bail.

2. The applicant is apprehending arrest at the hands of the Police as the report is lodged by Mr. Purushottam Natthuji Pusdekar alleging that on 06/11/2023 at about 2.00 a.m. he heard the noise of pelting of the stone on his house, therefore, he went outside the house and witnessed 5 to 6 boys. He has narrated that Tushar Badlamwar and Yash Parate were present outside the house and had a quarrel with his son, prior to some days. And out of that, they have pelted stones towards the crowd and also caused damage to the

vehicle of his son. On the basis of said report, the police have registered the crime.

3. Mr. M.V.Rai, learned counsel for the applicant submitted that as far as the present applicant is concerned, his name is not mentioned in the FIR. No specific role is attributed to him. In view of that, he be protected by granting ad-interim anticipatory bail.

4. Learned APP strongly opposed the present application on the ground that 5 to 6 unknown boys were there, and the applicant is one of them and prays for rejection of the application.

5. Having heard learned counsel for the applicant and learned APP for the State, perused the investigation papers. Admittedly, none of the witnesses have narrated the name of the present applicant, therefore, his presence is not established from the investigating papers. The investigation is still in progress however, considering no specific role is attributed to the present applicant, his prayer for grant of anticipatory bail can be allowed. In view of that, I proceed to pass the following order:

- a) The criminal application is **allowed**.
- b) In the event of his arrest, in connection with Crime No. 1417/2023 registered with Police Station Wardha (City), District Wardha for the offences punishable under Sections 143, 147,

148, 452, 427, 504, 506 , 307 read with Section 149 of the Indian Penal Code, 1860 and Sections 4 and 25 of the Arms Act, 1959, the applicant – Prashik s/o Bhaskar Chahande is released on ad-interim anticipatory bail, on executing PR. Bond of Rs. 25,000/- with one solvent surety in the like amount.

- c) The applicant shall attend the concerned Police Station as and when required for the investigation purpose and shall co-operate with the investigating agency.
- d) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the present case.
- e) The applicant shall furnish his cellphone number(s) and address with address proof before the investigating agency.

The criminal application is **disposed of**.

[URMILA JOSHI-PHALKE, J.]