



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

CRIMINAL APPLICATION (BA) NO. 467 OF 2024

Amit s/o Pradip Statao (In Jail) V/s 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. D.I. Jain, counsel for the Applicant.

Mr. Phasate, APP for the non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 21/05/2024.

1. The applicant came to be arrested on 3/04/2024, in connection with crime No. 235/2024 registered with Police Station Nandura, District Buldhana for the offence punishable under Sections 308, 353, 332, 143, 147, 148, 427 read with Section 149 of the Indian Penal Code, 1860, Section 7 of the Criminal Law Amendment Act, 1932 and Section 135 of the Maharashtra Police Act, 1951.

2. The accusation against the present applicant is on the basis of report lodged by Shrikrushna Devrao Hadde, on an allegation that the group of two communities came together on 28/03/2024, there was a procession going on and during that procession, there was a rift between the two communities. During that rift, the present applicant and the other co-accused pelted stones towards the police, due to which, the police vehicles were damaged as well as some police personnel sustained the injuries. Learned counsel for the applicant submitted that as far as the

present applicant is concerned, no overt act is attributed to him, and his further custodial interrogation is not required. The other co-accused are already released on bail.

3. Learned APP strongly opposed the said application on the ground that there was a rift between the two communities and during that rift, the two communities pelted stones towards each other, and some police personnel and the police vehicles were also damaged in the said incident. Considering the role of the present applicant who was the leader of the said community, if he is released on bail, he would tamper with the prosecution evidence, in view of that, application deserves to be rejected.

4. Having heard learned counsel for the applicant and learned APP for the State, perused the recitals of the FIR as well as the investigation papers, from which it reveals that during the procession, there was a rift between the two communities and they pelted stone, in which the police personnel has sustained the injuries as well as police vehicles were also damaged. As far as further custodial interrogation is concerned, which is not required as the investigation is already completed. The role of the present applicant is also not specifically mentioned. In view of that, further incarceration of the present applicant is not required. Accordingly, I proceed to pass the following order;

a) The application is allowed.

- b) The applicant – **Amit s/o Pradip Satao** shall be released on bail, in connection with Crime No. 235/2024 registered with Police Station Nandura, District Buldhana for the offence punishable under Sections 308, 353, 332, 143, 147, 148, 427 read with Section 149 of the Indian Penal Code, 1860, Section 7 of the Criminal Law Amendment Act, 1932 and Section 135 of the Maharashtra Police Act, 1951, on executing PR. Bond in the sum of Rs. 25,000/- with one solvent surety in the like amount.
- c) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the present case.

The criminal application is **disposed of**.

[URMILA JOSHI-PHALKE, J.]