



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

CRIMINAL APPLICATION (ABA) NO. 670 OF 2024

Rameshwar s/o Ramesh Mule 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. N.B. Kalwaghe, counsel for applicant.

Mr. N.S.Rao, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 23/09/2024.

1. Apprehending the arrest at the hands of police in connection with Crime No. 516/2023 registered with Police Station Deulgaon Raja, Tah. Deulgaon Raja, District Buldhana for the offence punishable under Sections 506, 427, 353, 332, 143 read with Section 149 of the Indian Penal Code, 1860, the applicant has approached this Court for grant of pre-arrest bail.

2. It is alleged that the applicant and other 15 farmers came on spot, they picked up a quarrel with the informant, and the accused and other 15 persons snatched the mobile phone of his associates and thrown it in the lake. It is further alleged that all have assaulted and bite him on his left shoulder, broke his spectacle, and snatched his mobile phone. 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, a general allegation

is made against him, the other 15 persons are not made an accused, and his immediate custodial interrogation is not required. In view of that, he be protected by granting ad-interim protection.

4. Learned APP strongly opposed the said application on the ground that the mobile phone which was snatched is to be recovered from the present applicant. In view of that, his prayer for grant of ad-interim protection deserves to be rejected.

5. Heard learned counsel for the applicant and learned APP for the State, perused the recitals of the FIR, from which it reveals that though the name of the present applicant is mentioned, general allegations are made against all the accused. Moreover, there is no specific allegation that it is the present applicant who has snatched the mobile phone of the informant or his associates. Considering the nature of the allegation, custodial interrogation immediately is not required. In view of that, he can be protected by granting ad-interim protection by imposing certain conditions. Accordingly, I proceed to pass the following order;

- a] Issue notice to the non-applicant.
- b] Learned Additional Public Prosecutor waives service of notice on behalf of non-applicant/State and seeks time to file reply.
- c] In the event of her arrest, in connection with Crime No. 516/2023 registered with Police Station

Deulgaon Raja, Tah. Deulgaon Raja, District Buldhana for the offence punishable under Sections 506, 427, 353, 332, 143 read with Section 149 of the Indian Penal Code, 1860, the applicant – Rameshwar s/o Ramesh Mule shall be released on ad-interim anticipatory bail on executing P.R. bond of Rs. 25,000/- with one solvent surety in the like amount.

- d] The applicant shall attend the concerned police station once in a week on Sunday between 10.00 a.m. to 01.00 p.m. and shall cooperate with the investigating agency.
- e] The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the present case.

5. Stand over after **two weeks**.

[URMILA JOSHI-PHALKE, J.]