



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

CRIMINAL APPLICATION (ABA) NO. 870 OF 2024

Raghunath Narayan Ambhore

Vs.

The State of Maharashtra, through PSO, Buldhana City, Buldhana

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. Abhay Sambre, Advocate for the Applicant.

Mr. N.B. Jawale, APP for the Non-applicant/State.

CORAM : G. A. SANAP, J.

DATED : 24th DECEMBER, 2024.

. Heard.

2. Issue notice to the non-applicant.

3. Learned APP waives service of notice on behalf of the non-applicant.

4. Learned advocate for the applicant submits that the informant is the wife of the applicant. The applicant has purchased the house in the name of his wife, who is serving as a police constable at Buldhana. It is submitted that the wife now intends to grab the property. She has been trying to drive him out of the house. Earlier, the applicant was a police constable. He has resigned from the said post. He has now been selected for the Group-D post. It is submitted that, on the date of the incident, he was not present in the house. The report is false. The wife went to the private hospital for treatment. The private hospital is known for issuing false certificate. It is submitted that he ready to co-operate the police in the investigation. He has been falsely implicated in this case. It is submitted that, if he is

arrested, then his future would be ruined. Learned advocate, therefore, submitted that, till the final hearing of this application, ad-interim anticipatory bail be granted to the applicant and he be protected from arrest.

5. Learned APP seeks time to file reply. Learned APP submits that no case has been made out for ad-interim anticipatory bail. The crime is serious. The informant has sustained fracture to her leg as well as to her ribs. She was admitted in the hospital for five days. She has now been discharged. The possibility of pressurizing the informant at the hands of the applicant cannot be ruled out, if he is granted protection from arrest. It is submitted that, considering the serious nature of the crime and the fact that the custodial interrogation of the applicant is necessary, no case has been made out for granting him ad-interim protection.

6. I have gone through the record and proceedings. The learned Additional Sessions Judge, by his order dated 21st December, 2024, has granted anticipatory bail to accused No.2, who is the mother of accused no.1. The bail application of the applicant/accused No.1 has been rejected on the ground that the allegations made against him are serious. It is observed that the main role in the crime has been attributed to him. The crime, in this case, was registered after four days of the incident on the report of the informant. The informant is the wife of accused No.1. As far as the merits of the matter are concerned, the same cannot be gone into at this stage. The applicant/accused No.1 and the informant have been residing together under one roof. It appears that there is a dispute with

regard to the ownership of the house between the informant and accused No.1. Accused No.1 was also a police constable. He had resigned. The documents annexed to the application show that he has been selected for Group-D post, namely Laboratory Attendant, Ward Boy, Peon etc. The investigation is in progress.

7. In my view, considering the facts in totality, it would be just and proper to protect the applicant/accused no.1 from arrest till next date. He has been selected for Group-D post. In case of his arrest, his future would be ruined completely. The dispute is principally between the husband and wife. In order to take care of apprehension putforth, appropriate conditions can be imposed. Hence, the following order:

ORDER

i] *Ad-interim* anticipatory bail is granted to the applicant/accused No.1 - Raghunath Narayan Ambhore, till next date.

ii] In the event of his arrest or at the time of his arrest, in connection with Crime No.1104/2024 registered with Police Station Buldhana City for the offences punishable under Sections 118(1), 118(2) and 352 of the Bhartiya Nyaya Sanhita, 2023, the applicant/accused No.1 - Raghunath Narayan Ambhore be released on his furnishing P.R. bond in the sum of Rs.15,000/- (Rs. Fifteen Thousand) with one surety in the like amount.

iii] The applicant/accused No.1 shall attend Buldhana City Police Station every day from 11:00 a.m. to 2:00 p.m.

iv] The applicant/accused No.1 shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of this case.

v] The applicant/accused No.1 shall co-operate the Investigating Officer in the investigation of the crime.

vi] Stand over after **Christmas Vacation**.

vii] Reply be filed by next date.

viii] Prayer for hamdast is allowed.

(G. A. SANAP, J.)

Vijay