



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO.1258 OF 2025

. Sumit S/o Ramrao Zulzule,
Age: 35 years, Occu.: Agril.,
R/o. Risala Bazar, Hingoli,
Tq. And Dist. Hingoli. Applicant

Versus

1. The State of Maharashtra,
Through Superintendent of Police,
Hingoli, Tq. and Dist. Hingoli.
2. The Investigation Officer,
Through Hingoli (Rural) Police Station,
Tq. & Dist. Hingoli. Respondents

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Ms. Ashwini Deshmukh, Advocate h/f Mr. S.V. Deshmukh, Advocate for Applicant.

Mr. S.B. Narwade, APP for Respondents No.1 and 2

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CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 19 AUGUST, 2025

PRONOUNCED ON : 20 AUGUST, 2025

ORDER :

1. The applicant apprehends his arrest in connection with Crime No.0342 of 2025 registered with Hingoli (Rural) Police Station, District Hingoli for offence punishable under section 303(2) of the Bharatiya Nyaya Sanhita (BNS).

2. Learned counsel for the applicant pointed out that, there are allegations of theft of batteries by the present applicant while in the company of an unknown person. It is submitted that the applicant has been falsely implicated. That, the complainant is not an eyewitness, and the FIR is based on hearsay information. It is further submitted that custodial interrogation of the applicant is not necessary, and as the applicant is ready to cooperate with the investigation, relief of pre-arrest bail is sought.

3. Learned APP has opposed the application by pointing out that, a vehicle was used in the commission of theft involving batteries worth Rs.50,000/-. It is submitted that the applicant is specifically named, and for the purpose of effective and thorough investigation, custodial interrogation of the applicant is necessary. For all above reasons, the learned APP prays for rejection of the application.

4. Heard. After considering the above submissions and on going through the FIR it is emerging that one Pradip Men approached Police and informed about receipt of phone from his colleague Durgesh regarding receipt of further phone call from Majit Rathod regarding visit being paid to the Jio company tower and there coming across battery being kept in the dickey of the Car and said persons fleeing from there.

One person was said to be caught and police was called and on inquiry he gave his name as Sumit, i.e. present applicant. Therefore, *prima facie*, the applicant appears to have been caught red-handed. It is alleged that his associate fled with the battery and the vehicle, which, according to the learned APP, are yet to be recovered. For above reasons, this Court does not find it a fit case to grant relief. Hence, I proceed to pass the following order:

ORDER

Anticipatory Bail Application is rejected.

**ABHAY S. WAGHWASE,
JUDGE**

S P Rane