



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

CRIMINAL APPLICATION (ABA) NO.7 OF 2025

Abdul Mateen Abdul Rafique and another
Vs.

State of Maharashtra, through Police Station Officer, Police Station, Pinjar
District Akola

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

Court's or Judge's orders

Mr. Z. Z. Haq, Counsel for the applicant.
Ms. Ritu Sharma, APP for the non-applicant / State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 28/02/2025

1. Apprehending the arrest at the hands of police in connection with Crime No.407/2024 registered with Police Station Pinjar, District Akola for the offence punishable under Sections 132, 121(1), 125, 189(2), 191(2) and 190 of the Bharatiya Nyaya Sanhita, 2023.

2. The allegation against the present applicant is that around 50 persons had gathered in front of the outpost Mahan and were trying to create nuisance by pelting stones and also using the filthy language at the complainant, who was trying to save himself from the assault and thus, committed the riot. On the basis of the said report, police have registered the crime against the present applicant.

3. Learned Counsel for the applicant submitted that the other accused i.e. accused Nos. 1, 2, 3, 5, and 6 are already released on bail. As far as the present applicants are concerned, there is no specific allegation against them. The omnibus allegations are levelled against them, and therefore, initially, the applicants were protected by granting ad-interim protection.

4. Learned APP strongly opposed the said application on the ground that the police officer is assaulted by present applicants and other co-accused, in view of that, the application deserves to be rejected.

5. On hearing both the sides and on perusal of the investigation papers, it reveals that the omnibus allegation is levelled against the present applicants. Now other co-accused are released on bail. Considering the same, and nothing is to be recovered from the present applicants, the applicants have made out a case for grant of bail. In view of that I proceed to pass following order.

ORDER

(i) The interim protection granted to the present applicants by order dated 07.01.2025 is hereby confirmed, on furnishing PR bond in the sum of Rs.25,000 each with one surety of the like amount.

(ii) The applicants shall attend the concerned Police Station as and when required for

the investigation purpose and shall cooperate with the investigating agency.

(iii) The applicants not induce, threat or promise any witnesses who are acquainted with the facts of the case.

The application is disposed of.

(URMILA JOSHI-PHALKE, J.)