



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (ABA) NO.40 OF 2025
(Vikas @ Pappu s/o Raju Dagor 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. U.P. Dable, Advocate for the applicant.
Ms Swati Kolhe, APP for the State.
Mr. A.G. Hunge, Advocate for Assist to Prosecution.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- APRIL 2, 2025.

Apprehending the arrest at the hands of police in connection with Crime No.771/2024 registered with Police Station Ambazari, Nagpur, District Nagpur for the offences punishable under Sections 74, 269, 3(5) of the Bharatiya Nyaya Sanhita, 2023, the applicant approached this Court for grant of pre-arrest bail.

2. The crime is registered on the basis of report lodged by the friend of the victim on an allegation that when they had been to one cafe for having snacks at that time, present applicant has outraged the modesty of the victim by abusing her. On the basis of the said report police have registered the crime against the present applicant.

3. Learned Counsel for the applicant submitted that considering the allegation as it is, the custodial interrogation of the present applicant is not required and by considering this fact, he was protected by granting ad-

interim protection. He has cooperated with the investigating agency and his custodial interrogation is not required.

4. *Per contra*, learned APP strongly opposed the application and submitted that considering the allegation against the present applicant who has abused in a filthy language to the victim and also outraged her modesty by giving a blow on her chest. In view of that, the prayer for grant of anticipatory bail deserves to be rejected.

5. Learned Counsel for the victim also endorsed the same contention.

6. I have heard learned Counsel for both the sides. Perused the investigation papers from which it reveals that the FIR has been registered on the report of the informant alleging assault or use of criminal force with an intention to outrage the modesty of the victim. Considering the allegation as it is, admittedly, no weapon is used or the allegation is only to the extent that he has abused the victim in a filthy language and given a blow on her chest. Thus, considering the same, the immediate custodial interrogation of the applicant is not required. In view of that, the ad-interim protection granted to the applicant deserves to be confirmed. Accordingly, I proceed to pass following order:

(i) The application is allowed.

(ii) In the event of arrest, the applicant – Vikas @ Pappu s/o Raju Dagor in connection with Crime No.771/2024 registered with Police Station Ambazari, Nagpur, District Nagpur for the offences punishable under Sections 74, 269, 3(5) of the Bharatiya Nyaya Sanhita, 2023, be released on anticipatory bail on executing PR. Bond in the sum of Rs.20,000/- with one solvent surety in the like amount.

(iii) The applicant shall attend the police station once in a week i.e. on every Monday between 10.00 AM and 1.00 PM and shall cooperate with the investigating agency.

(iv) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case either personally or by way of electronic media.

7. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)