



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

CRIMINAL APPLICATION (ABA) NO.73 OF 2025

(Manav s/o Jai Rai 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. M.V. Rai, Advocate for the applicant.
Ms T.H. Udeshi, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- FEBRUARY 24, 2025.

Apprehending the arrest at the hands of police in connection with Crime No.1267/2024 registered with Police Station Sitabuldi, Nagpur for the offence punishable under Sections 118(2), 3(5), 351(2) and 352 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 Niraj Sanjay Sawadiya, on an allegation that he along with his friends, had been to the Cafe at the relevant time; present applicant has assaulted him as well as the other co-accused also. On the basis of the 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, the only allegation against him is that he abused the informant and his friends and also pushed him and manhandled him. As

far as using of the weapon is concerned the allegation is not against the present applicant and it is against the co-accused that co-accused has assaulted by means of rod.

4. Learned APP strongly opposed the said application and submitted that the applicant and other co-accused in furtherance of their common intention assaulted the injured and the applicant is resident of Madhya Pradesh. In view of that, the application deserves to be rejected.

5. After hearing both sides and on perusal of the FIR, it reveals that the injured has sustained a grievous injuries which is on the vital part of the body i.e. on the head. As far as that injury is concerned which is attributed against the co-accused. Considering the role of the present applicant he has made out a case for grant of anticipatory bail. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass the following order.

(i) The application is allowed.

(ii) In the event of the arrest, the applicant – Manav s/o Jai Rai in connection with Crime No.1267/2024 registered with Police Station Sitabuldi, Nagpur for the offence punishable under Sections 118(2), 3(5), 351(2) and 352 of the Bharatiya Nyaya Sanhita, 2023, be

released on anticipatory bail on executing P.R. bond of Rs.25,000/- with one solvent surety in the like amount.

(iii) The applicant shall furnish the local surety for the satisfaction of the Court.

(iv) The applicant shall attend the concerned police station once in a week i.e. on every Monday between 10.00 AM and 01.00 PM till filing of the charge-sheet and shall cooperate with the investigating agency.

(v) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case, either physically or through electronic media.

6. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)

**Divya*