



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

CRIMINAL APPLICATION (ABA) NO.76 OF 2025
(Umesh s/o Baliram Nipane 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. N. Samundre, Advocate for the applicant.
Ms S. Kolhe, 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.08/2025 registered with Police Station Ganeshpeth, Nagpur for the offence punishable under Sections 118(2), 3(5), 351(2), 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 a report lodged by Gopal Gangaramji Aadmane, on an allegation that on 07/01/2025 when the informant was in the cotton market and selling his goods, at that relevant time, the present applicant came in front of his shop and there was hot exchange of words between them. Thereafter, his brother and employee also came there. The applicant was holding stick in his hand and the informant was assaulted by the present applicant on his forearm due to which he sustained the injuries.

3. Learned Counsel for the applicant submitted that as far as the custodial interrogation is concerned which is not required as the weapon was not brought by the present applicant. He further submitted that considering the role attributed to the present applicant that the assault was not on the vital part. Moreover, he has cooperated with the investigating agency. In view of that, the applicant be protected by granting anticipatory bail.

4. Learned APP strongly opposed the said application and submitted that the injury certificate shows that the injured has sustained grievous injury on his forearm. He is not cooperating with the investigating agency. In view of that, the application deserves to be rejected.

5. I have heard learned Counsel for both the sides. On perusal of the entire investigation papers and the injury certificate it reveals that injured has sustained the grievous injury but considering the applicant has attended the police station on some occasions as per the order of this Court but the station diary entry also shows that he has not attended the police station as per the direction of this Court regularly. In view of that, by imposing certain conditions, the ad-interim protection granted to the applicant deserves to be confirmed. Accordingly, I proceed to pass the following order:

- (i) The application is allowed.

(ii) In the event of the arrest, the applicant – Umesh s/o Baliram Nipane in connection with Crime No.08/2025 registered with Police Station Ganeshpeth, Nagpur for the offence punishable under Sections 118(2), 3(5), 351(2), 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 attend the concerned police station on every Monday between 10.00 AM and 01.00 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.

(v) On failure to attend the concerned police station, the protection granted to the applicant deserves to be cancelled.

6. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)