



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

CRIMINAL APPLICATION (ABA) NO.196 OF 2025

Virendra Padmakar Daterao

Vs.

State of Maharashtra, through Police Station Officer, Rajapeth,
District Amravati

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

Court's or Judge's orders

Mr. P. V. Navlani, Counsel for the applicant.
Ms. Swati Kolhe, APP for the non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 01/04/2025

1. Apprehending the arrest at the hands of police in connection with Crime No.18/2025 registered with Police Station, Rajapeth, District Amravati for the offence punishable under Sections 118(1) of the Bharatiya Nyaya Sanhita, 2023, the applicant approached this Court for grant of bail pre-arrest bail.

2. The crime is registered on the basis of report lodged by Saurabh Shrikantrao Bherde on an allegation that on 10.01.2025 at about 11.00 p.m., he along with his maternal uncles had been to have a dinner, at that time there was a dispute between the him, maternal uncle and his cousin maternal uncle i.e. applicant, and therefore, his cousin maternal uncle assaulted the informant and maternal uncle by

means of knife and also by giving repeated blows. On the basis of the said report, police have registered the crime against the present applicant.

3. Learned Counsel for the applicant submitted that there was a family dispute between the two families and out of that, this incident arose. As far as the premeditation is concerned, the quarrel started suddenly and in a sudden fight the alleged blows are given. In fact, the applicant is implicated falsely due to the old enmity between them. His custodial interrogation is not required. In view of that, he be released on anticipatory bail.

4. Learned APP strongly opposed the said application and invited my attention towards the various statements of the witnesses and submitted that initially, there was a quarrel between the maternal uncle and cousin maternal uncle of the informant, thereafter the present applicant went at some place and again came by holding a knife in his hand and given repeated blows to the injured therefore, the injured sustained the grievous injuries in the alleged incident. She has also invited my attention towards the medical certificate and submitted that the custodial interrogation of the present applicant is required for seizure of the knife. In view of that, the application deserves to be rejected.

5. After hearing both sides and on perusal of the investigation papers, it reveals that out of a family dispute, the quarrel started between the present applicant and the injured as well as the informant, and thereafter, the applicant left the place and again came after some time holding knife in his hand and given the repeated blows to the informant as well as his maternal uncle. The informant has sustained the grievous injuries in the said incident. Considering that the applicant has come with a preparation by holding knife in his hand. The said knife is yet to be recovered and after the incident, the applicant was absconding for some days. Considering all these aspects, the application for grant of anticipatory bail deserves to be rejected. Accordingly, I proceed to pass following order.

ORDER

The application is rejected.

(URMILA JOSHI-PHALKE, J.)