



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

CRIMINAL APPLICATION (ABA) NO.238 OF 2025

Raju @ Kunal S/o Antaram Bhawre
Vs.

State of Maharashtra, through Police Station, Beltarodi, Nagpur
District Nagpur

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

Court's or Judge's orders

Mr. K. Y. Mandpe, Counsel for the applicant.
Ms. Sneha Dhote, APP for non-applicant / State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 09/04/2025

1. Apprehending the arrest at the hands of police in connection with Crime No.375/2024 registered with Police Station, Beltarodi, Nagpur, District Nagpur for the offence punishable under Sections 143, 147, 148, 307, 504 read with Section 149 of the Indian Penal Code and under Section 135 of the Maharashtra Police Act.

2. The crime is registered on the basis of report lodged by the informant on an allegation that on 09.06.2024 he was sitting at Sitala Mata Mandir along with his friend Ganesh Shahu and Piyush Lilhare at about 11.00 to 11.30 a.m. one Dilip Shahu and his friend Piyush Sontakke were passing on their motorcycle by driving rash and negligent manner and therefore, the complainant and his friend restrained

them and asked them to drive the vehicle slowly, on that count there was a hot exchange of words between them and the informant and his friend were assaulted by the co-accused.

3. Learned Counsel for the applicant submitted that as far as the present applicant is concerned, his name is implicated merely on the basis of the statement of the co-accused, no specific role is attributed to him. Now the investigation is already completed and charge-sheet is filed. The custodial interrogation of the present application is not required.

4. Learned APP strongly opposed for the same and submitted that the applicant was along with the other co-accused and sharing the common object with them. In view of that, the prayer for grant of anticipatory bail deserves to be rejected.

5. After hearing both the sides and on perusal of the investigation papers it reveals that there was a scuffle between the two groups and in the same scuffle both party members have sustained the injuries. As far as the present applicant is concerned, and his name is not mentioned in the FIR, no overt act is attributed to him, his involvement is only on the basis of the statement of the co-accused. Considering the nature of the evidence against him, the applicant has made out a case for grant of

anticipatory bail. Accordingly, I proceed to pass following order.

ORDER

(i) Application is allowed.

(ii) In the event of the arrest in connection with Crime No.375/2024 registered with Police Station, Beltarodi, Nagpur, District Nagpur for the offence punishable under Sections 143, 147, 148, 307, 504 read with Section 149 of the Indian Penal Code and under Section 135 of the Maharashtra Police Act, the applicant **Raju @ Kunal S/o Antaram Bhawre** shall be released on anticipatory bail on executing PR Bond in the sum of Rs.25,000/- with one solvent surety of the like amount.

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

(iv) The applicant shall attend the proceedings before the Sessions Court without seeking any exemption unless there are exceptional circumstances.

(v) The applicant shall attend the concerned Police Station once in a month i.e. on 15th of the every month, till the culmination of the trial.

The application is disposed of.

(URMILA JOSHI-PHALKE, J.)