



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

CRIMINAL APPLICATION (ABA) NO. 350 OF 2025

ANKUSH RAJENDRA MEHSRAM

...**VERSUS**...

STATE OF MAHARASHTRA THR PSO FREZARPURA DIST AMRAVATI

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

Court's or Judge's order

Shri P. V. Navlani, Advocate for applicant.
Ms. Prachi Joshi, APP for non-applicant/State.

CORAM : **ROHIT W. JOSHI, J.**

DATE : **21st MAY, 2025**

The applicant is arraigned as an accused no. 4 in First Information Report ("FIR") No. 971 of 2024 registered with Police Station Frezarpura, District Amravati City on 16/11/2024 for the offence punishable under Sections 140(2) & (3), 308, (2), (3) & (5), 61(1), 118(1), 115(2), 351(3) of Bharatiya Nyaya Sanhita, 2023, Sections 4, 25 of Arms Act and Section 135 of Maharashtra Police Act.

2. It appears that, an offence of theft was committed in the house of one Kalpande between 08/11/2024 to 11/11/2024. The FIR in this regard was lodged against an unknown person on 15/11/2024 vide FIR No. 0967/2024. The informant had lodged the FIR on 16/11/2024 alleging that the present applicant and other accused persons had abducted him on 12/11/2024 at about 07.00 p.m. and beaten him. It is alleged that the accused persons were making enquiry with him about the golden ornament allegedly stolen from the house of Kalpande. On this allegation, the above FIR was lodged. The

role attributed to the present applicant is that, he had driven the vehicle in which the informant was abducted. The allegations of beating and threatening are not against the present applicant. These allegations are against other accused persons namely Bablu and Shubham, and the accused Shubham is already released on bail vide order dated 17/03/2025 passed by the learned Additional Sessions Judge, Amravati in Criminal Bail Application No. 158/2025. It appears from recitals the FIR itself that, the present applicant and his two accomplices had admitted to have committed theft in the house of said Shri Kalpande.

3. The learned counsel for the applicant submits that, there was a theft in the house of Kalpande, who is senior citizen. The public at large had a suspicion that, the applicant and his accomplices had committed the theft. He states going by the allegations in the FIR, except driving the vehicle Bolero Car, no other allegation is levelled against him. He has also drawn my attention to the FIR that, although it is alleged that, the informant was abducted in the Bolero Car while he was taken to the house of Kalpande, he was taken on motor cycle. He, therefore, submits that, the allegation against the present applicant is inconsistent, the informant himself is guilty of having committed the offence of theft, and therefore, the applicant should be granted anticipatory bail. He has also drawn my attention to the fact that, the alleged offence is committed between 12th and 13th November, 2024 and the FIR is lodged on 16/11/2024 and that too after the offence of theft was lodged against the informant on 15/11/2024.

4. The learned APP for the State opposes the application. She has drawn my attention to criminal antecedents of the applicant, which are reproduced in reply filed before the learned Sessions Court. It seems that there are six antecedents against the present applicant, two of which, are of the year 2024. The particulars of the said offences are as under:-

Sr. No.	Name and address of accused	Crime No. and offences
1	Ankush Rajendra Meshram, Aged 30 Yrs., R/o. Varun Nagar, Mahadeo Khori, Amravati	Crime No. 971/2024 Sections 140(2)(3), 308(2)(3)(5), 61(1), 118(1), 115(2), 351(3) of B.N.S.
2	Akush Rajendra Meshram, Aged 30 Yrs., R/o. Varun Nagar, Mahadeo Khori, Amravati	Crime No. 127/2024 Sections 395, 397, 364, 342, 324, 506(2) of I.P.C.

However, having considered the rival submissions, in my considered opinion, the application deserves to be allowed.

5. It is clear that, there is a delay of three days in lodging the present FIR. The FIR is lodged after the FIR relating to theft is lodged against the informant. The role attributed to the present applicant is that, he was driving the vehicle in which the informant was allegedly abducted. Apart from this, there is no allegation against him. The two co-accused namely Prajwal G. Katgade and Shubham V. Bhagat are already granted bail. In

that view of the matter, I am inclined to allow the present application on the following terms:-

(a) In the event of arrest in relation to First Information Report ("FIR") No. First Information Report ("FIR") No. 971 of 2024 registered with Police Station Frezarpura, District Amravati City on 16/11/2024 for the offence punishable under Sections 140(2) & (3), 308, (2), (3) & (5), 61(1), 118(1), 115(2), 351(3) of Bharatiya Nyaya Sanhita, 2023, Section 4, 25 of Arms Act and Section 135 of Maharashtra Police Act, the applicant - Ankush Rajendra Mehsram be released on bail on executing P.R. Bond to the tune of Rs. 25,000/- with one solvent surety in the like amount.

(b) The applicant shall attend the concerned Police Station on every Sunday between 10.00 a.m. to 01.00 p.m. till filing of charge-sheet.

(c) The applicant shall co-operate with the investigation agency and make himself available for interrogation, whenever required.

(d) 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.

(ROHIT W. JOSHI, J.)