



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

CRIMINAL APPLICATION (ABA) NO.414 OF 2025

Bhimrao @ Akshay Ramesh Wakode
Vs.

State of Maharashtra, through Police Station Officer, Police Station
Nandura, District Buldana

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

Court's or Judge's orders

Mr. A. M. Tirukh, Counsel for the applicant.
Mr. Amit Madiwale, APP for the non-applicant / State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 17/06/2025

1. Apprehending the arrest at the hands of police in connection with Crime No.190/2025 registered with Police Station Nandura, District Buldhana for the offence punishable under Sections 74, 118(2), 115(2), 352, 351(2), 351(3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023, the applicant approached this Court for grant of pre-arrest bail.

2. Heard learned Counsel for the applicant, who submitted that the cross-complaints are filed. Initially, the wife of the present applicant has lodged the report against the informant and other family members, as they were assaulted by means of knife, sticks and iron rod and to give counterblast to the said complaint, after two days, this report is lodged by the informant afterthought. He submitted that as far as the injury is allegedly due to the assault by the

present applicant is concerned, is simple in nature. The injured is immediately discharged from the hospital. Considering the same, custodial interrogation of the present applicant is not required. In view of that, he be protected by granting anticipatory bail.

3. Learned APP strongly opposed for the same on the ground that considering the specific role attributed to the present applicant, there are seven eye witnesses to the incident, in view of that, the application deserves to be rejected.

4. On hearing both sides and on perusal of the investigation papers, it reveals that initially wife of the present applicant has lodged report against the informant and other family members and subsequent to that after two days, the present crime was registered against the present applicant. Even accepting the allegation as it is, it is alleged that present applicant has assaulted by means of a knife. The injured Mukesh has sustained injury on his neck which is incised wound which is simple in nature and the injured was immediately discharged from the hospital. Considering the nature and the circumstances under which the alleged incident has taken place, both party members have caused the injuries to each other and in the scuffle, they have sustained the injuries. In view of that, the physical custody of the present applicant is not required. In view of that, I proceed to pass following order:

ORDER

- (i) The application is allowed.
- (ii) The applicant **Bhimrao @ Akshay Ramesh Wakode** shall be released on anticipatory bail in the event of his arrest, in connection with Crime No.190/2025 registered with Police Station Nandura, District Buldhana for the offence punishable under Sections 74, 118(2), 115(2), 352, 351(2), 351(3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023, on executing PR Bond in the sum of Rs.25,000/- with one solvent surety in the like amount.
- (iii) The applicant shall attend the concerned Police Station once in a week on Sunday between 10.00 a.m. to 1.00 p.m. 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.
- (v) The applicant shall not indulge in similar type of the activities.
- (vi) The applicant shall produce the weapon knife before the Investigating Officer and the said period shall be considered as his custody for the purpose of Section 23(2) of the Bharatiya Sakshya Adhiniyam, 2023.

The application is disposed of.

(URMILA JOSHI-PHALKE, J.)