



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

CRIMINAL APPLICATION (ABA) NO.441/2025

Umesh Moreshwarrao Bamnote Vs.

The State of Maharashtra through P.S.O., Police Station Pulgaon, Wardha

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

Court's or Judge's orders

Shri R.R. Vyas, Advocate for applicant
Shri N.R. Rode, APP for respondent/State

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 03.07.2025

Apprehending the arrest at the hands of police in connection with Crime No.320/2025 registered with Police Station Pulgaon, District Wardha, for the offence punishable under Section 303(2) of the Bhartiya Nyay Sanhita Act, 2023 (BNS) Act, the applicant approached to this Court for grant of anticipatory bail.

2. Heard learned Counsel for the applicant, who submitted that as per the allegation levelled against the present applicant that he has stolen 3 brass of sand from the agricultural field of one Shri Nana Dhobale. He submitted that merely on suspicion, the applicant is arrayed as an accused, the custodial interrogation is not required.

3. Learned APP strongly opposed the same on the ground that there are other criminal antecedents against the present applicant. He has committed the said offence when he was on bail and, therefore, the application for grant of anticipatory bail deserves to be rejected.

4. On hearing both the sides and on perusal of the investigation papers except the suspicion, there is no other material to connect the present applicant with alleged offence. In view of that the application deserves to be allowed. Accordingly, I proceed to pass following order:

ORDER

- (i) The application is allowed.
- (ii) In the even of the arrest in connection with Crime No.320/2025 registered with Police Station Pulgaon, District Wardha, for the offence punishable under Section 303(2) of the Bhartiya Nyay Sanhita Act, 2023 (BNS) Act, **applicant Umesh Moreshwarrao Bamnote**, be released on ad-interim anticipatory bail on executing a P.R. Bond in the sum of Rs.25,000/- with one solvent surety, in the like amount.
- (iv) The applicant shall attend the concerned police station as and when called for investigation purpose on issuance of the notice of 7 days in advance.
- (vi) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the present case.

5. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)

R.S. Sahare