



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

CRIMINAL APPLICATION (ABA) NO.450/2025

Amit s/o Sunil Gopnarayan

Vs.

The State of Maharashtra, through P.S.O., P.S. Khadan, Dist. Akola

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

Court's or Judge's orders

Shri A.S. Thotange, Advocate for applicant
Ms Sneha Dhote, APP for respondent/State

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 10.07.2025

Apprehending the arrest at the hands of police in connection with Crime No.297/2025 registered with Police Station Khadan, District Akola, for the offence punishable under Sections 118(2) and 3(5) of the Bhartiya Nyaya Sanhita (BNS) Act, 2023, the applicant approached to this Court for grant of pre arrest bail.

2. Heard learned Counsel for applicant who submitted that the crime is registered on the basis of report lodged by Aditya Dipak Giri on an allegation that the present applicant along with other co-accused came on the motorcycle and they have driven motorcycle on the person and attempted to hit the informant and the other prosecution witnesses who were his friends. As far as the present applicant is concerned, it is alleged that, he was holding an iron bar and tried to hit one of the prosecution witness but he could not hit. On the basis of the said report, Police

have registered the crime against the present applicant. Learned Counsel for the applicant further submitted that the iron bar is already produced before the Court and he is also shown his readiness to produce the motorcycle before the investigating officer. In view of that, he prays for the confirmation of the ad-interim protection.

3. Learned APP strongly opposed the said application and submitted that the applicant was present on the spot along with the iron bar. Though the iron bar was seized, but his custodial interrogation is required for interrogation purpose.

4. On hearing both the sides and on perusal of the investigation papers, it reveals that, the role attributed to the present applicant that he was holding an iron pipe in his hand and also attempted to give a blow by that, but he could not hit the prosecution witness, and thereafter left the place. Now the said iron bar is already produced before the investigating officer. As far as the vehicle in question, he has shown his readiness to produce the same. In view of that the interim protection granted to the present applicant deserves to be confirmed. Accordingly, I proceed to pass the following order.

ORDER

- (i) The application is allowed.
- (ii) The interim protection granted to the present applicant by order dated 25.06.2025 is hereby confirmed subject to the condition that the applicant

shall attend the concerned Police Station once in a week i.e. on every Monday between 10.00 a.m. to 1.00 p.m. and shall cooperate with the investigating agency till filing of the charge-sheet.

(iii) The applicant shall not induce threat or promise any witnesses who are acquainted with the facts of the present case either personally or by way of electronic media.

(iv) The applicant shall produce his motorcycle before the investigating officer and the same period shall be considered as his custody for the purpose of Section 23(2) of the Bharatiya Sakshya Adhiniyam, 2023.

5. The application is disposed of.

JUDGE

R.S. Sahare