



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

CRIMINAL APPLICATION (ABA) NO.459 OF 2025
(Akash s/o Vishnu Badgujar and ors. Vs. The State of Maharashtra)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. S.I. Ghatte, Advocate for the applicants.
Mr. A.J. Gohokar, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- JULY 9, 2025.

Apprehending arrest at the hands of police in connection with Crime No.431/2025 registered with Police Station Paratwada, District Amravati for the offence punishable under Sections 351(3), 352, 191(3), 191(2), 190, 189(2) and 118(1) of the Bharatiya Nyaya Sanhita, 2023, the applicants approached to this Court for grant of pre-arrest bail.

2. Learned Counsel for the applicants submitted that out of the dispute between the two parties, this FIR came to be lodged. He submitted that on the basis of the report lodged by Ram Baghel and Shubham Baghel, one NC report was lodged earlier. He submitted that from the recitals of the FIR no specific role is attributed to the present applicants. Their custodial interrogation is not required. In view of that, they be protected by granting anticipatory bail.

3. Learned APP strongly opposed the application and submitted that during investigation, the medical certificates are collected which shows that Ram Baghel

and Durgesh Baghel have sustained the grievous injuries in the said incident. The specific role is attributed to applicant No.2 – Nigam, applicant No.3 – Roshan and applicant No.5 – Hemant. They have used the weapon like sickle while committing the crime, therefore, their custodial interrogation is required.

4. I have heard learned Counsel for both the sides. Perused the recitals of the FIR as well as the investigation papers and the medical certificates which shows that Durgesh Baghel has sustained the grievous injuries by means of sharp object as well as other witness Ram Baghel has also sustained the fracture injuries. The specific role is attributed to applicant Nos.2, 3 and 5. Considering the nature of the injuries, at this stage, applicant No.2, 3 and 5 have not made out a case for grant of anticipatory bail; however, applicant Nos.1 and 4 against whom no specific allegation as to the assault is made, in view of that, their prayer for grant of anticipatory bail can be considered. Accordingly, I proceed to pass the following order:

- (i) The application is partly allowed.
- (ii) The prayer of applicant Nos.2, 3 and 5 for grant of anticipatory bail is hereby rejected.
- (iii) In the event of the arrest, the applicant Nos.1 and 4 namely - 1) Akash s/o Vishnu Badgujar and 4) Thakur Sagarsingh Jiyalal

Gadrel in connection with Crime No.431/2025 registered with Police Station Paratwada, District Amravati for the offence punishable under Sections 351(3), 352, 191(3), 191(2), 190, 189(2) and 118(1) of the Bharatiya Nyaya Sanhita, 2023, be released on anticipatory bail, on executing PR. Bond in the sum of Rs.25,000/- each with one solvent surety each in the like amount.

(iv) The applicant Nos.1 and 4 shall attend the concerned police station once in a week i.e. on every Sunday between 10.00 AM and 1.00 PM and shall cooperate with the investigating agency.

(v) The applicant Nos.1 and 4 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.

(vi) The applicant Nos.1 and 4 shall attend the proceedings before the trial Court without seeking any exemption unless there are exceptional circumstances.

5. The contravention of any of the condition would lead to the cancellation of bail.

6. The application stands disposed of.

(URMILA JOSHI-PHALKE, J.)