



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

CRIMINAL APPLICATION (ABA) NO. 467 OF 2025

Om Vijay Tathod and another Vs 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. Tushar U. Tathod, counsel for applicants.
Mr. V.A.Thakre, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 21/07/2025.

1. Apprehending the arrest, at the hands of police in connection with Crime No.404/2025 registered with Police Station Old City, Akola, District Akola, for the offence punishable under Sections 118(2), 352, 351(2), 324(2), 3(5) of Bharatiya Nyaya Sanhita, 2023, the applicants approached this Court for grant of pre-arrest bail.

2. Heard learned counsel for the applicants, who submitted that there was a previous enmity between the present applicants and the informant on account of murder of mother of the present applicants and there are previous complaints lodged against each other. One NC report was also filed against the informant, as he has threatened the present applicants before the trial of murder, which is pending before the Sessions Court. He submitted that, due to the said reasons, the applicants

are implicated in the false case on the baseless allegations.

He further submitted that, as per the allegations against the applicants, who allegedly assaulted with a stick, the stick has already been recovered. Since the applicant has produced the stick and cooperated with the investigating agency by attending the police station, custodial interrogation is not required.

3. Learned APP strongly opposed for the same on the ground that, considering the role attributed to the present applicants, who allegedly used the weapon like stick in assaulting the prosecution witnesses as well as the informant, in view of that, the criminal application deserves to be rejected.

4. Considering the fact that, the applicants have already attended the concerned police station, the stick is already recovered. The incarceration of the present applicants is not required. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass the following order.

ORDER

- a] The criminal application allowed.
- b] The interim protection granted by order dated 01/07/2025 is hereby confirmed, on the condition that the applicants shall

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

- c] The applicants shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.

The criminal application is **disposed of**.

[URMILA JOSHI-PHALKE, J.]