



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

CRIMINAL APPLICATION (ABA) NO.487 OF 2025

(Abhay Bhaskar Thakur 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. B.D. Sachdev, Advocate for the applicant.
Mr. C.A. Lokhande, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.

DATED :- JULY 16, 2025.

Apprehending the arrest at the hands of police in connection with Crime No.295/2025 registered with Police Station Khapa, District Nagpur for the offence punishable under Sections 118(1), 324(2), 352, 189(2), 190 and 191(2) of the Bharatiya Nyaya Sanhita, 2023, the applicant approached this Court for grant of pre-arrest bail.

2. The crime is registered on the basis of report lodged by Mahesh Lakhan Raut who has alleged that on the day of incident i.e. 24/05/2025 he was assaulted by the present applicant and the other co-accused by means of fist and kick blows and out of them one person has also assaulted by means of iron rod. He submitted that as far as the custodial interrogation of the present applicant is concerned, which is not required as there is no allegation that present applicant used any iron rod. Even considering the allegation as it is now the injured is discharged from

the hospital. The custodial interrogation of the present applicant is not required. The statements of the witnesses also nowhere reveals any other role to the present applicant except assault by fist and kick blows.

3. Learned APP strongly opposed the application and submitted that the applicant and the other co-accused assaulted the injured by means of iron rod as well as fist and kick blows, and therefore, his custodial interrogation is required.

4. On hearing both the sides and on perusal of the investigation papers the allegation against the present applicant is that he has assaulted by fist and kick blows. The injured is already discharged from the hospital. As far as the custodial interrogation is concerned which is not required as nothing is to be recovered from the present applicant. Accordingly, I proceed to pass the following order.

(i) The application is allowed.

(ii) In the event of the arrest, the applicant – Abhay Bhaskar Thakur in connection with Crime No.295/2025 registered with Police Station Khapa, District Nagpur for the offence punishable under Sections 118(1), 324(2), 352, 189(2), 190 and 191(2) of the Bharatiya Nyaya Sanhita, 2023, be released on

anticipatory bail, on executing P.R. 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 i.e. on every Monday between 10.00 AM and 1.00 PM and shall cooperate with the investigating agency.

(iv) The applicant shall produce the iron rod before the Investigating Officer and this period shall be considered as his custody under Section 23(2) of the Bharatiya Sakshya Adhiniyam, 2023.

(v) The applicant 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.

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.)