



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

CRIMINAL APPLICATION (APPP) NO. 1604 OF 2025
IN
CRIMINAL APPLICATION (ABA) NO. 522 OF 2025

Vinod S/o Dilip Bhagat and others 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. S.V. Sirpurkar, counsel for applicants.

Mrs. Sneha S. Dhote, APP for non-applicant/State.

Mr. Rahul Shinde, counsel for Assist to Prosecution.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 04/08/2025.

1. Heard.
2. By this application, the complainant is seeking permission to engage the counsel to assist the prosecution.
3. In view of the reasons mentioned in the application, permission is granted to complainant to engage the counsel to assist the prosecution.
4. The criminal application is allowed and disposed of.

CRIMINAL APPLICATION (ABA) NO. 522 OF 2025

1. Apprehending the arrest at the hands of police in connection with Crime No.429/2025 registered at Police Station Darwha, Dist. Yavatmal for the offence punishable under Section 105 of the

Bhartiya Nyaya Sanhita, 2023, the applicants approached this Court for grant of pre-arrest bail.

2. Heard learned counsel for the applicants, who submitted that applicants are the agriculturists who have erected the electric fencing, and on that fencing, there was an electric current. Due to electric current, the death of the deceased is caused, and therefore, the crime is registered against the present applicants. As far as the custodial interrogation is concerned, which is not required, as necessary articles are already seized by the investigating agency. In view of that, they be protected by granting anticipatory bail.

3. Learned APP and learned counsel for the complainant strongly opposed the said application on the ground that, intentionally, the said electric current was erected on the fencing and death of the deceased was caused. Considering the nature of the crime and the applicants are not cooperating with the investigating agency, the protection granted to the present applicants deserves to be cancelled.

4. On hearing both sides and on perusal of the recitals of the FIR, it reveals that the death of the deceased is due to the electric shock, which was on the fencing, as the deceased came into contact with the fencing. As far as his custodial interrogation is concerned, which is not required. The contention of the learned APP that the applicant is not cooperating with

the investigating agency is considered, and the applicant shall cooperate with the investigating agency, and the investigating officer is at liberty to investigate and seize whatever articles he wants to seize as far as the present offence is concerned. Accordingly, I proceed to pass the following order:

ORDER

- a] The interim protection granted to the applicant by order dated 16/07/2025 is hereby confirmed.
- b] The applicants shall attend the concerned Police Station as and when required for the investigation purpose.
- c] On issuing the notice of seven days in advance and shall cooperate with the investigating agency.
- d] The applicants shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.
- e] The applicants shall cooperate with the investigating agency as far as the seizure of the machine is concerned.

Criminal application is **disposed of**.

[URMILA JOSHI-PHALKE, J.]