



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

CRIMINAL APPLICATION (ABA) NO. 801 OF 2024

Nandkishor Suresh Pable 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. M.P. Kariya, counsel for applicants.

Mrs. Swati Kolhe, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 10/01/2025.

1. Apprehending the arrest at the hands of police in connection with Crime No. 270/2023 registered with Police Station Deulgaon Raja, District Buldhana for the offences punishable under Sections 452, 324, 323, 427, 504, 506 and 143 of the Indian Penal Code, the applicants approached this Court for grant of pre-arrest bail.

2. Learned counsel for the applicants submitted that out of the dispute between the two labours, the alleged incident has taken place. As far as the custodial interrogation of the applicants is concerned, which is not required. He further submitted that applicant No. 1 has already attended the concerned police station, and the weapon, i.e. iron fighter, is already seized therefore, custodial interrogation is not required. He submitted that as far as the applicant No. 2 is concerned, nothing is to be recovered from him. In view of that, he be protected by granting anticipatory bail.

3. Learned APP strongly opposed the said application on the ground that there is a specific allegation against the applicant No. 1 and the injured has sustained the injuries on the vital part of the body. In view of that, the application deserves to be rejected.

4. After hearing both sides and on perusal of the investigation papers, it reveals that as far as the role of the applicant no. 2 is concerned, which is only to the extent of keeping on the door. There is an allegation against the applicant No. 1 that he has assaulted by means of iron fighter, and the injured has sustained the head injury. Therefore, the applicant No. 1 has not made out a case for grant of anticipatory bail. However, considering the role attributed to the applicant No. 2, the application deserves to be allowed partly. In view of that, I proceed to pass the following order:

- a] The application is allowed partly.
- b] In the event of the arrest, applicant No.2 – ***Gopal Suresh Pable*** in connection with Crime No.270/2023 registered with Police Station Deulgaon Raja, District Buldhana for the offences punishable under Sections 452, 324, 323, 427, 504, 506 and 143 of the Indian Penal Code, shall be released on anticipatory bail, on executing PR. Bond in the sum of Rs.25,000/- with one solvent surety in the like amount.
- c] The applicant No.2 shall attend the concerned police station as and when required for the

investigation purpose and shall cooperate with the investigating agency.

- d] The applicant No.2 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.
- e] The prayer of the applicant No.1 for grant of anticipatory bail is hereby **rejected**.
- f] The contravention of any of the conditions imposed would lead to the cancellation of bail.

The criminal application is **disposed of**.

[URMILA JOSHI-PHALKE, J.]