



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

CRIMINAL APPLICATION (ABA) NO. 835/2025

Nitin Bhagwantrao Gade Vs. State of Maharashtra

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. A. C. Khadse, Advocate for the Applicant.
Ms M. A. Barabde, A.P.P. for the Non-applicant/State.

CORAM : MRS.VRUSHALI V. JOSHI,J.

DATED : 27/11/2025.

. Heard.

2. The applicant has apprehension of arrest in Crime No.971/2024 registered with Police Station Frezarpua, District Amravati for the offences punishable under Sections 115(2), 118(1), 140(2), 140(3), 308(2), 308(3), 308(5), 351(3), 61(1) of the Bharatiya Nyaya Sanhita, 2023, Sections 4 and 25 of the Arms Act and Section 135 of the Maharashtra Police Act.

3. It is alleged that the applicant along with other co-accused kidnapped the first informant suspecting that he has stolen the Gold Chain and beat him mercilessly and compelled him to confess that he has stolen the Gold chain.

4. The learned Counsel for the applicant has stated that the First Information Report is registered after three days of the incident. The allegations are made against this applicant that he was sitting along with the other co-accused in the vehicle in which the informant was abducted. The allegations about beating are not against this applicant. It is alleged that they beat him with belt and wooden stick and this applicant gave fist and blows. The other co-accused are already released on bail. As there is delay and the other co-accused are already released on

bail, prayed to protect the applicant by granting anticipatory bail.

5. The learned A.P.P. opposed the application stating that there are nine antecedents against this applicant. Though the other co-accused are released, they were arrested and, thereafter, released on bail. The specific allegations are there that he has given threats to mother of the first informant. Considering the role of this applicant that he has given threats, the custodial interrogation is necessary. Hence, prayed to reject the application. The learned A.P.P. has further submitted that the threats were given and the video of confession was recorded by this applicant and, therefore, his mobile is required to be seized.

6. Heard the learned Counsel for the applicant and the learned A.P.P. for the State.

7. The applicant and the first informant were known to each other. On suspicion that he has stolen the Gold chain, he was beaten by all the accused persons. The applicant is one of the accused. The other co-accused are already released on bail.

8. Considering the allegations made that he has given threats and gave fist and blows, the custodial interrogation of this applicant is not required. The case is made out to protect the applicant by granting anticipatory bail. Accordingly, I pass the following order:

- i] It is directed that in the event of arrest of the applicant in connection with Crime No.971/2024 registered with Police Station Frezarpua, District Amravati for the offences

punishable under Sections 115(2), 118(1), 140(2), 140(3), 308(2), 308(3), 308(5), 351(3), 61(1) of the Bharatiya Nyaya Sanhita, 2023, Sections 4 and 25 of the Arms Act and Section 135 of the Maharashtra Police Act, he shall be released on bail on furnishing P.R. Bond in the sum of Rupees Twenty Five Thousand with one solvent surety in the like amount.

ii] The applicant shall not in any way tamper with the prosecution evidence.

iii] The applicant shall not pressurize or threaten the prosecution witnesses.

iv] The applicant shall attend the concerned police station on every Monday and Saturday between 1:00 p.m. to 2:00 p.m.

v] The applicant shall not enter into the vicinity of Police Station Frezarpura except for attending the Police Station.

vi] The applicant shall surrender her/his mobile phone before the police.

vii] The applicant shall co-operate the investigation officer.

The application stands disposed of.

(MRS. VRUSHALI V. JOSHI, J.)