



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

CRIMINAL APPLICATION (ABA) NO.860 OF 2024

Rohit s/o Raghunath Battashankar

Vs.

State of Maharashtra, through Police Station Officer, Rajura,
District Chandrapur

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

Court's or Judge's orders

Mr. V. J. Kedar, Counsel h/f Mr. P. S. Dhenge, Counsel for the applicant.
Ms. Swati Kolhe, APP for the non-applicant /State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 17/01/2025

1. Apprehending the arrest at the hands of police in connection with Crime No.725/2024 registered with Police Station, Rajura, District Chandrapur for the offences punishable under Sections 132, 324, 351(2), 352 of the Bharatiya Nyaya Sanhita, 2023, the applicant approached this Court for grant of anticipatory bail.

2. Heard learned Counsel for the applicant and learned APP for the State. Perused the recitals of the FIR from which it reveals that on 30.11.2024 as per the allegation, the present applicant entered in the Sub-District Hospital, Rajura and abused the Government servants and restrained them from discharging their duties and also caused loss to the

public property. On the basis of the said report, police have registered the crime.

3. Learned Counsel for the applicant submitted that as far as the custodial interrogation of the present applicant is concerned, which is not required. The investigation is practically completed, in view of that, he be protected by granting anticipatory bail.

4. Learned APP strongly opposed the said application and submitted that there are criminal antecedents and the involvement of the applicant in similar nature of the offences is revealed during the investigation. In view of that, the application deserves to be rejected.

5. After hearing both sides and on perusal of the investigation papers, it reveals that the allegations which are levelled are substantiated by the statements of the witnesses. However, as far as his custodial interrogation is concerned, which is not required as nothing is to be recovered from him. Admittedly, there are criminal antecedents against the present applicant, but that itself is not sufficient to reject the application and restrain him from enjoying his liberty. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass following order:

ORDER

- (i) The application is allowed.
- (ii) In the event of arrest, in connection with Crime No.725/2024 registered with Police Station, Rajura, District Chandrapur for the offences punishable under Sections 132, 324, 351(2), 352 of the Bharatiya Nyaya Sanhita, 2023, the applicant **Rohit s/o Raghunath Battashankar** 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.
- (iii) The applicant shall attend the concerned Police Station as when required for the investigation purpose and shall cooperate with the investigating agency.
- (iv) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.

The application is disposed of.

(URMILA JOSHI-PHALKE, J.)