



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

CRIMINAL APPLICATION (BA) NO. 02 OF 2025

SHREYANSH S/O SURYANARAYAN TRIPATHI

Vrs.

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

Shri P. R. Agrawal, Advocate for applicant.
Shri C. A. Lokhande, A. P. P. for Non-applicant-State.

CORAM: URMILA JOSHI-PHALKE, J.

DATE : 07/03/2025.

1. The applicant came to be arrested on 11/03/2024 in connection with Crime No.84/2024 registered with Police Station, Nandgaon Peth, Tah. and Dist. Amravati for the offences punishable under Sections 395, 397 of the Indian Penal Code, 1860 and under Sections 25(3), 27 of the Arms Act, 1959 and Section 135 of the Maharashtra Police Act, 1951.

2. Heard learned counsel for the applicant who submitted that the crime is registered on the basis of report lodged by Ravi Namdev Balkhande alleging that he is a driver of the Tipper vehicle bearing No.WB-53-C-2724 owned by one Ajmatkhan Pathan. On 10/03/2024 at about 9.45 p.m. when he reached near village Sawardi on Amravati – Nagpur Road, at that time, tipper vehicle was stopped by one white coloured Bolero vehicle in which

five persons were there. All those five persons were taken him towards Nagpur and after crossing the distance of 10 k.m., the vehicle was again returned towards Amravati and he was taken in one field where he was assaulted, his mobile phone was snatched as well as from his credit also, cash amount and the mobile phones were snatched and thereafter, the assailants left the place by threatening the complainant.

3. Learned counsel for the applicant submitted that as far as the involvement of the present applicant is concerned, he is neither identified during the identification parade and nothing is recovered. The investigation officer has collected CCTV footage from the Toll Plaza from which also, the involvement of the present applicant does not reveal. Now, investigation is already completed and charge sheet is already filed. Further incarceration of the present applicant is not required.

4. Per contra, learned APP strongly opposes the said application on the strong ground that there are criminal antecedents against the present applicant. He was absconding after the said incident. In view of that, application deserves to be rejected.

5. On hearing both sides and on perusal of investigation papers, it reveals that the informant has given description of the assailants. On the basis of the

same, the sketch of the assailants was also prepared. Thereafter, the applicant was to put in Test Identification parade. He was identified during the Test Identification Parade. The statement of the associates of complainants shows that they could not identify the assailants during the Identification Parade. As far as the criminal antecedents are concerned, learned counsel for the applicant placed on record the various orders passed by the concerned Court which show that the applicant is released on bail in the concerned offence. It is now well settled that mere criminal antecedents are not sufficient to reject the application of the present applicant. In view of that, application deserves to be allowed. Accordingly, I proceed to pass the following order :-

ORDER

- i] The application is allowed.
- ii] The applicant–**Shreyansh Suryanarayan Tripathi** be released on bail in connection with Crime No.84/2024 registered with Police Station, Nandgaon Peth, Tah. and Dist. Amravati for the offences punishable under Sections 395, 397 of the Indian Penal Code, 1860 and under Sections 25(3), 27 of the Arms Act, 1959 and Section 135 of the Maharashtra Police Act, 1951, on executing PR. Bond of Rs.25,000/- with one solvent surety of the like amount.

iii] The applicant shall attend the concerned police station twice in a month i.e. on 1st and 10th day of every month and the Police Station Officer shall record his presence.

iv] The applicant shall furnish the local surety for the satisfaction of the concerned Court.

v] The applicant shall furnish on record his address along with address proof and the names of his relatives along with address proof.

vi] The applicant shall attend the proceedings before the Sessions Court without seeking any exemption unless there are exceptional circumstances.

6. The application is disposed of.

[URMILA JOSHI-PHALKE, J.]