



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

CRIMINAL APPLICATION (BA) NO. 751 OF 2025

(Ananta s/o Ajabrao Mankar

Vs.

State of Maharashtra, Thr. PSO, Police Station Pimpalgaon Raja,
Tq. Khamgaon, District Buldhana.)

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Anil Mardikar, Senior Advocate a/b Mr. S.A. Kanetkar, Advocate for the Applicant.

Mr. M.J. Khan, APP for the Non-applicant/State.

CORAM: URMILA JOSHI-PHALKE, J.

DATED : 29th JULY, 2025

1. The Applicant came to be arrested on 01.04.2025, in connection with Crime No. 231/2024 registered with Police Station Pimpalgaon Raja, District Buldhana for the offence punishable under Section 109(1), 115(2), 126(2) and 3(5) of the Bhartiya Nyaya Sanhita, 2023.

2. The crime is registered on the basis of the report lodged by Sagar Madhusudan Mankar on an allegation that on 13.09.2024 at around 10.30 p.m., when he was returning towards his home by his motorcycle, the present Applicant alongwith other co-accused stopped his motorcycle and obstructed his way. The co-accused persons held him whereas other co-accused Santosh opened his mouth forcefully and the present Applicant administered some stupefying substance in

his mouth and thereafter he was taken to the Hospital. On the basis of the said report Police have registered the crime against the present Applicant.

3. Heard Mr. Mardikar, learned Senior Counsel for the Applicant, who submitted that due to the political rivalry the present Applicant is implicated falsely in the alleged offence. Now, investigation is already completed and charge-sheet is already filed, further incarceration of the present Applicant is not required. The other co-accused are already released on bail by this Court in the event of their arrest. In view of that, the present Applicant be released on bail.

4. Learned APP, strongly opposed the said application on the ground that the role of the present Applicant reveals from the statement of the Informant and as *prima facie* case is made out, the Application deserves to be rejected.

5. On hearing both the sides and on perusal of the investigation papers especially the statement of the Informant who specifically alleged that it was the present Applicant who has administered some stupefying substance. Admittedly, the CA report is yet to be received, but considering now the investigation is completed and charge-sheet is filed, further incarceration of the present Applicant is not required. In view of that the Application deserves to be allowed. Accordingly, I proceed to pass the following order.

ORDER

- i. The Application is **allowed**.
 - ii. The Applicant – Ananta s/o Ajabrao Mankar in connection with Crime No.231/2024 registered with Police Station Pimpalgaon Raja, District Buldhana for the offence punishable under Section 109(1), 115(2), 126(2) and 3(5) of the Bhartiya Nyaya Sanhita, 2023, be released on bail, on executing P.R. Bond in the sum of Rs.25,000/- with one solvent surety in the like amount.
 - iii. The Applicant 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.
 - iv. The Applicant shall attend the proceedings before the Trial Court without seeking any exemption unless there are exceptional circumstances.
6. Pending application/s, if any, shall stand disposed of accordingly.

(URMILA JOSHI-PHALKE, J.)