



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

CRIMINAL APPLICATION (ABA) No.92 OF 2025

(Shubham s/o. Raju Boyat Vs. State of Maharashtra, through PSO, P.S. Rajapeth,
Distt. Amravati (Amravati city))

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

Court's or Judge's orders.

Mr. S.B. Gandhe, Advocate for applicant.
Mr. M.K. Pathan, APP for non-applicant.

CORAM : URMILA JOSHI-PHALKE, J.
DATE : 10th MARCH, 2025.

1. Apprehending the arrest at the hands of Police in connection with Crime No.43/2025, registered with Police Station Rajapeth, District Amravati, for the offence punishable under Sections 118(1), 351(2), 352 of the Bharatiya Nyaya Sanhita, 2023 the applicant approached to this Court for grant of pre-arrest bail.
2. Heard learned counsel for the applicant, who submitted that in a spur of moment the incident occurred due to the hot exchange of words between the informant and the present applicant and in a spur of moment the applicant has assaulted the injured by means of iron ring which he was merely in his hand and caused the injury to the injured. He submitted that the nature of injury is simple in nature. The applicant has already co-operated with the Investigating Agency. In view of that, interim protection granted to the present applicant deserves to be

confirmed.

3. Learned A.P.P. strongly opposed the said application and submitted that though injury mentioned is simple but the injury is on the vital part of the body. Moreover, there are criminal antecedents against the present applicant. The possibility of involving in similar type of the offence cannot be ruled out. In view of that, prayer for grant of anticipatory bail deserves to be rejected.

4. After hearing both sides and on perusal of the investigation papers admittedly the incident occurred in a spur of moment. The applicant has already co-operated with the Investigating Agency. There is no allegation that he has not attended the Police Station or non-cooperation is there. Considering the same, the interim protection granted to the present applicant deserves to be confirmed subject to the conditions. Accordingly, I proceed to pass following order :

ORDER

(i) The ad-interim protection granted to the present applicant by order dated 13.2.2025 is hereby confirmed, on condition that the applicant shall not enter into the jurisdiction of Rajapeth Police Station till culmination of the trial.

(ii) The applicant shall not induce, threat or promise any witnesses, who are acquainted with the facts of the case.

(iii) The applicant shall not indulge in similar type of the activities.

(iv) The applicant shall attend the concerned Police Station on every day till the charge-sheet is filed between 7.00 p.m. to 9.00 p.m.

(v) The violation of any of the condition would lead to the cancellation of bail.

5. The application is disposed of.

(Urmila Joshi-Phalke, J.)

Wadode