



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

CRIMINAL APPLICATION (ABA) No.95 OF 2025

(Lankesh Dnyaneshwar Ade and others Vs. State of Maharashtra, through PSO, P.S.
Rural, Karanja (Lad), Tq. Karanja, Distt. Washim)

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

Court's or Judge's orders.

Mr. S.D. Chande, Advocate for applicants.
Ms. H.N. Prabhu, APP for non-applicant/State.

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

1. Apprehending the arrest at the hands of Police in connection with Crime No.38/2025, registered with Police Station Karanja Gramin, District Washim, the applicants approached to this Court for grant of pre-arrest bail.

2. The crime is registered on the basis of report lodged by Sunil Narendra Rathod on an allegation that there was a political rivalry between the applicants and the informant. On that count on 21.1.2025 the present applicants and other co-accused came alongwith weapons at their hands pelted stones towards their house as well as applicant Nos.1,2,4 and 5 assaulted by means of iron rod and applicant No.3 pelted stones towards their house. Due to which the family members have sustained the injuries. On the basis of the said report Police have registered the crime.

3. Heard learned counsel for the applicants, who

submitted that regarding the said incident cross-complaints are filed. Out of political rivalry the implication of the entire family members is there. As far as the investigation purpose is concerned the applicants are ready to cooperate with the Investigating Agency. The prime role is attributed to the co-accused Prakash Aade. The custodial interrogation of the present applicants is not required considering the allegations against them.

4. Learned A.P.P. and learned counsel for the complainant strongly opposed the said application and submitted that there are criminal antecedents against the present applicants. The applicants with preparation came at the house of the informant and assaulted him and the other family members. The weapons are to be recovered. For that purpose custodial interrogation is required. In view of that, the application deserves to be rejected.

5. On hearing both the sides and on perusal of the recitals of the F.I.R. and the investigation papers it reveals cross-complainats are filed against each others about the said incident. As far as the role of the applicant No.1,2,4 and 5 are concerned which is to the extent of assault by iron rod on the non-vital part of the body of the prosecution witnesses. As far as the custodial interrogation is concerned, which is required for the purpose of recovery of said weapons which can be taken care of. Except recovery of weapon the custodial interrogation is not required. In view of that, the application deserves to be allowed. Accordingly, I

proceed to pass following order :

ORDER

(i) In the event of arrest in connection with Crime No.38/2025, registered with Police Station Karanja Gramin, District Washim, the applicants, namely, (1) Lankesh Dnyaneshwar Ade, (2) Vikram Dnyaneshwar Ade, (3) Kailash Hirasing Pawar, (4) Abhishek Prakash Ade and (5) Rushikesh Prakash Ade shall be released on anticipatory bail on executing P.R. Bond in the sum of Rs.25,000/- each with one solvent surety in the like amount.

(ii) The applicant Nos.1 to 5 shall attend the concerned Police Station once in a week on Sunday between 10.00 a.m. to 1.00 p.m. and shall co-operate with the Investigating Agency.

(iii) The applicant Nos.1,2,4 and 5 shall produce the iron bars before the Investigating Officer and the said period be considered as their custody for the purpose of Section 23(2) of the Bharatiya Sakshya Adhiniyam, 2023.

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

(v) The applicants shall not indulge themselves in similar type of the activities.

8. The application is disposed of.

(Urmila Joshi-Phalke, J.)