



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

CRIMINAL APPLICATION (ABA) NO.137 OF 2025
(Udhav s/o Haribhau Narwade and ors. Vs. 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

Mr. R.M. Daga, Advocate for the applicants.
Mr. A.M. Ghogare, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- APRIL 28, 2025.

Apprehending the arrest at the hands of police in connection with Crime No.13/2025 registered with Police Station, Risod, District Washim for the offence punishable under Sections 3(5), 316(2) and 318(4) of the Bharatiya Nyaya Sanhita, 2023, the applicants approached this Court for grant of bail in the event of their arrest.

2. As per the allegations the informant - Sandeep Kalbande was preparing for the competitive examination. The applicants, who are in his relation, have informed the informant that one of person with whom they are acquainted with is working in Mantralaya and he would help him to get a job and demanded amount from him and accepted the same. However, the informant has not received any job. On the basis of the said report, police have registered crime against the present applicants.

3. Learned Counsel for the applicants submitted that the applicant Nos.2 and 3 are protected by this Court by granting anticipatory bail. The notice under Section 35

is issued to applicant No.1. He is also attending the police station. The offences alleged are punishable with imprisonment upto 7 years. The custodial interrogation of applicant No.1 is not required. In view of that, he be protected by granting anticipatory bail along with applicant Nos.2 and 3.

4. Learned APP strongly opposed the application on the ground that applicant No.1 is not cooperating with the investigating agency as per his instructions. Moreover, there are specific allegations against applicant No.1. There are documents on record which shows that the amount is received by applicant No.1 and not only the amount is received, but the informant was induced to pay the amount for getting the job and clearing the competitive examination. Considering the allegation against the present applicant No.1, *prima facie* case is made out against him. In view of that, his prayer for grant of anticipatory bail deserves to be rejected.

5. I have heard learned Counsel for both the sides and on perusal of the investigation papers it reveals that the applicant No.1 has received the amount from the informant. The false promise was made by him. Moreover, the submission of the learned APP shows that he has not cooperated with the investigating agency. Thus, considering the *prime facie* case, the prayer of applicant No.1 for grant of anticipatory bail deserves to be rejected. In view of that, I proceed to pass following order.

- (i) The application is partly allowed.
- (ii) The prayer of applicant No.1 for grant of anticipatory bail is hereby rejected.
- (iii) In the event of arrest, in connection with Crime No.13/2025 registered with Police Station Risod, District Washim for the offence punishable under Sections 3(5), 316(2) and 318(4) of the Bharatiya Nyaya Sanhita, 2023, the applicant Nos.2 - Sau Shobha w/o Udhav Narwade and applicant No.3 - Sanjay s/o Vishwanath Sultane shall be released on anticipatory bail on executing PR. Bond in the sum of Rs.25,000/- each with one solvent surety each in the like amount.
- (iv) The applicant No.2 and 3 shall attend the concerned Police Station once in a week on Monday between 10.00 a.m. to 1.00 p.m., till filing of the charge-sheet and shall cooperate with the investigating agency.
- (v) The applicant Nos.2 and 3 shall not directly or indirectly make any inducement and threat or promise to any person acquainted with the facts of the present case.

6. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)