



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

CRIMINAL APPLICATION (ABA) NO.244 OF 2025
(Deepak s/o Shamraoji Kamatwar Vs. The 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. A.S. Ambatkar, Advocate for the applicant.
Mr. M.K. Pathan, APP for the State.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- APRIL 25, 2025.

Apprehending the arrest at the hands of police in connection with Crime No.61/2025 registered with Police Station Saoli, District Chandrapur for the offence punishable under Section 308(2) of the Bharatiya Nyaya Sanhita, 2023, the applicant approached this Court for grant of pre-arrest bail.

2. The allegation against the present applicant is on the basis of report lodged by Nilesh Gajanan Raut on an allegation that the informant was called in the Police Station wherein the present applicant was present and it was alleged that the informant was abused and assaulted by the present applicant and thereafter, they came out of the Police Station, the present applicant has demanded Rs.2,00,000/- from him as an extortion amount. On the basis of the said report, police have registered the crime against the present applicant.

3. Learned Counsel for the applicant submitted that as far as the allegations are concerned, which are false and baseless. Merely because the informant was

intercepted and called in the Police Station, and therefore, this false report lodged against the present applicant. As far as the custodial interrogation is concerned, which is not required. In view of that, he be protected by granting anticipatory bail.

4. Learned APP strongly opposed for the same and vehemently submitted that the applicant is influential person and if he is released on anticipatory bail, there is likelihood of tampering of the witnesses, therefore, his custodial interrogation is required.

5. After hearing both sides and on perusal of the recitals of the FIR it reveals that the initial incident has taken place on 22/03/2025 wherein the informant was restrained when he was proceeding on his motorcycle and he was asked to show his licence as well as his helmet, and therefore, there was a hot exchange of words between them, and thereafter on the next day, he was called in the Police Station. Thus, it is apparent that as he was called in the police station, the FIR came to be lodged. However, the custodial interrogation of the present applicant is concerned, which is not required and the applicant has made out a case for grant of anticipatory bail. Accordingly, I proceed to pass following order:

(i) The application is allowed.

(ii) In the event of arrest, the applicant – Deepak s/o Shamraoji Kamatwar in connection with Crime No.61/2025 registered with Police Station Saoli, District Chandrapur

for the offence punishable under Section 308(2) of the Bharatiya Nyaya Sanhita, 2023, be released on anticipatory bail on executing PR. Bond in the sum of Rs.25,000/- with one solvent surety in the like amount.

(iii) The applicant shall attend the concerned police station once in a week i.e. on every Monday between 10.00 a.m. to 1.00 p.m. and shall co-operate with the Investigating Agency.

(iv) 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.

(v) A report of single incident would lead to the cancellation of bail.

(vi) The applicant shall not leave the jurisdiction of police station Saoli, District Chandrapur without prior permission of the Court.

6. The contravention of any of the condition would lead to the cancellation of bail.

7. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)