



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

CRIMINAL APPLICATION (ABA) NO. 302 OF 2025

(Sunil S/o Beniram Bhalavi S/o alias Bhalla

Vs.

State of Maharashtra, Thr. P.S.O. P.S. Rana Pratap Nagar, Nagpur)

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. Nazim Qureshi, Advocate for the Applicant.

Mr. A.M. Ghogare, APP for the Non-applicant/State.

CORAM: URMILA JOSHI-PHALKE, J.

DATED : 18th JUNE, 2025

1. Apprehending the arrest at the hands of police in connection with Crime No. 107/2025 registered at Police Station Rana Pratap Nagar, Nagpur for the offence punishable under Sections 109, 118(2), 115(2), 352, 351(3), 3(5) of the Bhartiya Nyay Sanhita, 2023, the Applicant approached this Court for grant of pre-arrest bail.

2. Heard learned Counsel for the Applicant, who submitted that as per the allegation levelled against the present Applicant on the basis of a report lodged by Nitin Satprakashsingh Thakur on 17.03.2025, when he was proceeding towards Wadi, at that time, the Applicant and the other co-accused were sitting at Nelco Cricket Ground. At the relevant time, during hot exchange of words, the co-accused assaulted him by means of an iron pipe on his head, whereas the present Applicant by means of bricks, fists, and kick

blows. On the basis of said report, Police have registered the crime. Learned Counsel submit that due to assault his nasal bone was fractured. Thus, considering the nature of incident, his custodial interrogation is not required. In view of he be protected by granting anticipatory bail.

3. The learned APP strongly opposed for the same on the ground that the Applicant and the other co-accused in furtherance of common intention, assaulted injured and therefore application to be rejected.

4. On hearing both sides and on perusal of the recitals of the FIR, only role attributed to the present Applicant is to the extent of assault by fists and kick blows. Thus, considering the nature of injury sustained by the injured which is assigned to the other co-accused. Considering all these facts, the Applicant has made out a case for grant of anticipatory bail. Accordingly, I proceed to pass following order:

ORDER

- i. The Application is **allowed**.
- ii. The *ad interim* protection granted to the Applicant by order dated 05.05.2025, is hereby confirmed on the condition that, he shall attend the concerned Police Station once in a week i.e. on every Monday between 10.00 a.m. and 01.00 p.m. and shall cooperate with the investigating agency.

- iii. The Applicant shall not indulge himself in similar type of activities.
 - 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.
5. Pending application/s, if any, shall stand disposed of accordingly.

(URMILA JOSHI-PHALKE, J.)