



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

CRIMINAL APPLICATION [ABA] NO. 349 OF 2025.

Illiyas Ali Khan Mumtaj Ali Khan.

-VERSUS-

State of Maharashtra.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri P.J. Uaipugal, Advocate h/f. Shri S.M. Lodha, Advocate for
the Applicant.
Ms. P. Joshi, A.P.P. for the Non-applicant.

CORAM : ROHIT W. JOSHI, J.

DATE : MAY 19, 2025.

Heard.

2. This is an application for grant of anticipatory bail in relation to an offence registered vide First Information Report No.0281/2025 with Samudrapur Police Station, District Wardha for offence punishable under Section 136 of the Indian Electricity Act, 1956. The offence is registered against unknown accused.

3. The applicant had filed an application

for grant of anticipatory bail vide Criminal Application No.48/2025, which came to be rejected by the learned Additional Sessions Judge (Court No.2), Hinganghat vide order dated 08.05.2025. The learned Sessions Judge has recorded that the co-accused has named the present applicant in the aforesaid crime. It is also recorded that the evidence of co-accused does not have any evidentiary value.

4. The learned Counsel for the applicant has today filed a Pursis along with order dated 30.05.2025 passed by the learned Special Judge, Court No.2, Hinganghat in O.M.C.A. Nos.12 and 13 of 2025 ordering release of motor cycle and Bolero pickup, which are allegedly used in the offence, on execution of supratnama. The learned Counsel for the applicant makes a statement across the bar, that the applicant does not have any criminal antecedents and undertakes to file an affidavit to that effect by 21.05.2025.

5. Accepting the statement that there are no criminal antecedents against the applicant and in the light of submissions made above, I am of the considered opinion that this is a fit case for grant of ad-interim protection to the applicant. Hence the following order.

6. Issue notice to the non-applicant, returnable on 09.06.2025. Learned A.P.P. waives notice for the non-applicant.

7. In the meanwhile, in the event of arrest of the applicant - Iliyas Ali Khan Mumtaj Ali Khan in relation to the First Information Report No.0281/2025 registered with Samudrapur Police Station, District Wardha for offence punishable under Section 136 of the Indian Electricity Act, 1956, he be released on bail on his furnishing P.R. bond in the sum of Rs.20,000/- with one surety in the like amount.

8. This order is passed subject to the condition that an affidavit of no criminal

antecedents, will be filed by the applicant on or before 21.05.2025.

JUDGE