



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

CRIMINAL APPLICATION (ABA) NO. 351 OF 2025

(Sanghesh Balu Mohod

Vs.

The State of Maharashtra, Thr. P.S.O. Shirsgaon Kasba, Tq. & District
Amravati.)

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. Shahrukh Khan, Advocate for the Applicant.
Mr. Ganesh Umale, APP for the Non-applicant/State.

CORAM: URMILA JOSHI-PHALKE, J.

DATED : 12th JUNE, 2025

1. Heard.
2. The present Application is preferred by the Applicant for grant of anticipatory bail in connection with Crime No. 141/2025 registered with Police Station Shirasgaon under Sections 351(2), 352 and 109 of the Bharatiya Nyaya Sanhita (BNS), 2023.
3. The crime is registered on the basis of the report lodged by the Informant on an allegation that he is a resident of Assam and working as a labour in the food company. On 14.03.2025 at about 05:30 p.m. the Informant was proceeding to Rajasthan to bring the stock of food in a truck bearing number KL-35-L-1704 and thereby he left Amravati in the said Truck, which was being driven by one Murgan. One

cleaner named Parth Sarthi was also with them. At around at 8:00 p.m. they reached at Paratwada and their Truck was restrained by one motorcyclist, however, they have not stopped the Truck and they have stopped their Truck at weigh bridge. The said person who was on the motorcycle came there and assaulted the Truck driver on his head, due to the assault, the Truck driver sustained the injuries. On the basis of the said report Police have registered the crime against the present Applicant.

4. Heard learned Counsel for the Applicant, who submitted that the investigation is already completed, the injured is already discharged from the Hospital, the custodial interrogation of the present Applicant is not required and in view of that he be protected by granting anticipatory bail.

5. Learned APP for the Non-applicant/State, strongly opposed the Application and submitted that, for a trifle reason the truck driver has not stopped the Truck, he was assaulted mercilessly and sustained grievous injuries. Considering the role attributed against the present Applicant, his custodial interrogation is required and hence Application deserves to be rejected.

6. On hearing both the sides and after perusal of the investigation papers, it reveals that not only the injured but the various witnesses who were present at the spot have substantiated the allegations that, it was the present Applicant who without any reason assaulted the injured as he has not stopped the Truck on his signal. The injury certificate

also shows that the injury is sustained on the vital part of the body i.e. on the head. Considering the nature of the incident that for a trifle reason the Truck driver was mercilessly assaulted by the present Applicant, and therefore, no case is made out for grant of anticipatory bail. Accordingly, I proceed to pass the following order.

ORDER

- i. The Application is **rejected**.

7. Pending application/s, if any, shall stand disposed of accordingly.

(URMILA JOSHI-PHALKE, J.)