



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

CRIMINAL APPLICATION (ABA) NO. 368 OF 2025

(Kartik S/o Raju Borkar
Vs.
State of Maharashtra, Thr. PSO. Police Station Mana, Taluka
Murtizapur, District Akola)

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

CORAM: URMILA JOSHI-PHALKE, J.

DATED : 25th JUNE, 2025

1. Apprehending the arrest at the hands of Police in connection with Crime No.44/2025 registered with Police Station Mana, District Akola for the offence punishable under Sections 118(1), 109 and 3(5) of the Bharatiya Nyaya Sanhita, 2023, the Applicant approached to this Court for grant of pre arrest bail.

2. Heard learned Counsel for the Applicant, who submitted that the crime is registered on the basis of the report lodged by Jyoti Pravin Shrivastava on an allegation that there was a quarrel between injured Aryan and the present Applicant on account of playing cricket and at that time the co-accused taken the knife and gave repeated blows on the person of injured. As far as the present Applicant is concerned, it is alleged that on the instigation of the present

Applicant the other co-accused has given blow of knife. He also submitted that, considering the role attributed to the present Applicant, his custodial interrogation is not required as nothing is to be recovered from him. He has already cooperated with the investigating agency. In view of that, interim protection granted to him deserves to be confirmed.

3. Learned APP strongly opposed the said application and submitted that on the instigation of the present Applicant the other co-accused has given blow of knife. In view of that, custodial interrogation is required.

4. On hearing both the sides and on perusal of the recitals of the FIR and investigation papers, it reveals that the only role attributed against the present Applicant is of instigation. Thus, the custodial interrogation of the present Applicant is not required. In view of that, the interim protection granted to present Applicant deserves to be confirmed. Accordingly, I proceed to pass the following order:

ORDER

- i. The Application is **allowed**.
- ii. The *ad interim* protection granted to the present Applicant by order dated 21.05.2025, 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 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.)

SD. Bhimte