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928.aba.493.2025

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

CRIMINAL APPLICATION (ABA) NO.493 OF 2025

Rahul s/o Madhukar Sahare

Vs.

State of Maharashtra, through Police Station Officer, Police Station,
Dhantoli, Nagpur

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. V. N. Mate, Counsel for the applicant.
Ms. H. N. Prabhu, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 08/07/2025

1. Apprehending the arrest at the hands of police in connection with Crime No.33/2025 registered with Police Station Dhantoli, Nagpur for the offence punishable under Sections 3(5), 316(2), 318(4) of the Bharatiya Nyaya Sanhita, 2023, the applicant approached this Court for grant of pre-arrest bail.

2. Heard learned Counsel for the applicant who submitted that the applicant is arraigned as an accused only because he is the brother of the other co-accused. He has collected the money from the investors and deposited the same in the account of the present applicant. As far as the present applicant is concerned, who is not at all concerned with either collecting the money or depositing the money. As far

as his custodial interrogation is concerned, which is not required immediately. In view of that, he be protected by granting ad-interim anticipatory bail.

3. Learned APP strongly opposed for the same and submitted that during the investigation, the involvement of the present applicant revealed and the amount was also transferred in his account. In view of that, the prayer for grant of ad-interim anticipatory bail deserves to be rejected.

4. On hearing both sides and on perusal of the recitals of the FIR, it reveals that it was the other co-accused, who is the brother of the present applicant, who collected the money and deposited in the account of the present applicant. Thus, only role of the present applicant is that his account is used by his brother. Thus, considering the nature of the allegation, his immediate custodial interrogation is not required. In view of that, the applicant has made out a case of ad-interim protection. Accordingly, I proceed to pass following order:

ORDER

(i) In the event of arrest, in connection with Crime No.33/2025 registered with Police Station Dhantoli, Nagpur for the offence punishable under Sections 3(5), 316(2), 318(4) of the Bharatiya Nyaya Sanhita, 2023, the applicant **Rahul s/o Madhukar Sahare** shall be released on ad-interim anticipatory bail, on executing PR Bond in the sum of Rs.25,000/- with one solvent surety in the like amount.

(ii) The applicant shall attend the concerned Police Station once in a week on Monday between 10.00 a.m. to 1.00 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.

5. Learned APP waives notice for the State and seeks time to file reply.

6. Stand over after two weeks.

(URMILA JOSHI-PHALKE, J.)