



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

CRIMINAL APPLICATION (ABA) NO. 493 OF 2025

(Rahul S/o Madhukar Sahare

Vs.

State of Maharashtra, Thr. PSO. Police Station Dhantoli, 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. V.N. Mate, Advocate for the Applicant.

Ms. H.N. Prabhu, APP for the Non-applicant/State.

CORAM: URMILA JOSHI-PHALKE, J.

DATED : 23rd JULY, 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 and allegation is that 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 same, it was his brother against whom the said offence is levelled. He has already cooperated with the Investigating Agency.

3. Learned APP strongly opposed for the same, however, she fairly submitted that the Applicant has cooperated with the Investigating Agency.

4. On hearing both sides and on perusal of the recitals of the FIR, the entire allegation of collecting the money is against the co-accused and not against the present Applicant. He has already cooperated with the Investigating Agency. In view of that, the Application for grant of anticipatory bail deserves to be allowed. 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 08.07.2025, 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. to 01.00 p.m. and shall cooperate with the investigating agency till filing of the charge-sheet.
 - iii. The Applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.
5. Pending application/s, if any, shall stand disposed of accordingly.

(URMILA JOSHI-PHALKE, J.)