



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

**CRIMINAL APPLICATION (ABA) NO.785/2025**

(Raju Madhukarrao Umbarkar Vs. The State of Maharashtra, through Police Station Officer, Police Station Wani,  
Tq. Wani, Distt. Yavatmal)

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

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Court's or Judge's orders

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Mr. A.S. Mardikar, Senior Advocate with Mr. Ajay D. Tote, Advocate for the  
applicant.

**CORAM: MRS.VRUSHALI V. JOSHI, J.**  
**DATED: 16.10.2025.**

Heard.

2. Issue notice to the non-applicant, returnable on 13.11.2025.
3. Mr. Ujjawal Phasate, learned A.P.P. waives notice for the non-applicant/State.
4. The applicant is apprehending arrest in Crime No.648/2025 for the offence punishable under Sections 351(3), 3(5) and 308(5) of the Bharatiya Nyaya Sanhita.
5. Initially, on the basis of complaint lodged by one Ajay Hingane the F.I.R. was registered and offence punishable under Section 115 (2) of B.N.S. came to be registered in which the applicant was released on bail. Thereafter the applicant lodged complaint against said complainant Ajay Hingane and Tahsildar has issued the show cause notice relating to road construction work by way of ATS Machine. On the basis of said complaint, Tahsildar sent notice to the complainant and thereafter the complainant has lodged this complaint alleging extortion of Rs.9.5 Crores and, therefore, the crime is registered. It is alleged that the applicant called the First Informant in his office and demanded 4% amount for road construction work

given to him. At that time, it is alleged that threats were given and Rs.10,00,000/- were handed over by the First Informant to the applicant.

6. The learned Senior Advocate for the applicant has stated that it appears from the F.I.R. that threat is not given by the applicant. The crime under Section 308(5) of B.N.S. will not be attracted as the allegations are to give percentage in the work. The learned Senior Advocate has stated that only because earlier complaint was lodged by this applicant, the action was taken and show cause notice was issued, the present F.I.R. is lodged by the First Informant.

7. The photographs are filed on record which shows that there was no bag in the hands of the First Informant who visited the office of the applicant. The photographs itself falsifies the allegations made by the First Informant. Hence, prayed to protect him by granting ad interim anticipatory bail.

8. The learned A.P.P. opposed the application stating that the trial Court has considered the CCTV Footage and has stated that the same is of outside area of the chamber. The carrying of amount is not seen, cannot be the ground to protect the applicant. The threats were given and, therefore, the offence is registered. Considering the allegations made against this applicant, prayed to reject the application.

9. Heard both sides and perused the record.

10. The allegations are made of demand of 4% amount of contract amount received by the First Informant. The applicant has lodged the earlier complaint and initially the F.I.R. came to be registered against the First Informant and thereafter the action was taken and show cause notice was issued by the Tahsildar. It creates doubt about the

subsequent F.I.R. Therefore, case is made out for grant of ad interim protection.

- i) It is directed that in the event of arrest of the applicant - Raju Madhukarrao Umbarkar in Crime No.648/2025 for the offence punishable under Sections 351(3), 3(5) and 308(5) of the Bharatiya Nyaya Sanhita, the applicant shall be released on bail on furnishing PR. Bond in the sum of Rupees Twenty Five Thousand with one solvent surety in the like amount.
  - ii) The applicant shall not in any way tamper with the prosecution evidence.
  - iii) The applicant shall not pressurize or threaten the prosecution witnesses.
  - iv) The applicant shall attend the concerned police station on every Monday and Saturday between 7:00 p.m. and 9:00 p.m.
  - v) The applicant shall co-operate the investigating officer.
11. This protection shall remain in force till next date of hearing.

(MRS.VRUSHALI V.JOSHI, J.)