



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

CRIMINAL APPLICATION (ABA) NO. 993 OF 2025

Jayendra s/o Gulab Deshpande

..VS..

State of Maharashtra

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

Court's or Judge's orders

Shri A.N. Rangari, Advocate for the applicant.
Ms. Sapkal, A.P.P. for Non-applicant /State.

CORAM : RAJ D. WAKODE, J.
DATED : 26.12.2025.

Heard learned Counsel appearing for the applicant
and learned Additional Public Prosecutor appearing for the
State.

2. The applicant is apprehending the arrest at the
hands of the Police in connection with the Crime No.0363
of 2025 registered with Lakhandur Police Station, District
Bhandara for the offence punishable under Sections 308(2),
132, 296, 352, 356, 351(2) of the Bharatiya Nyaya Sanhita
(BNS), 2023 and praying grant of pre-arrest bail.

3. Learned Counsel for the applicant has invited my
attention to the allegations in the present FIR and the
offences are punishable upto 7 years of imprisonment. So
also, in view of the law laid down by the Hon'ble Supreme
Court in the cases of *Arnesh Kumar vs. State of Bihar AIR*
2014 SC 2756 and *Satender Kumar Antil vs. CBI (2022)*
10 SCC 51, it is for the Investigating Officer to decide
whether to arrest the present applicant or not and to record
the reason for the same. The FIR was registered on
08.12.2025. Ad-interim bail was rejected by the learned

Trial Court and finally the application was rejected on 17.12.2025. The applicant makes a statement that there are no criminal antecedents against him and therefore, seeks for ad-interim protection.

4. Learned Additional Public Prosecutor Ms Dipali Sapkal appearing for the State states that the investigation is to be done and voice sample of the applicant has to be collected.

5. In view of the law laid down by the Hon'ble Supreme Court and in my considered opinion, the present applicant has made out a case for grant of ad-interim protection. Hence, I proceed to pass the following order :

- (a) Issue notice to the Non-applicant/s, returnable on 16.01.2026. Learned A.P.P. waives notice on behalf of Non-applicant/State.
- (b) In the event of arrest the Applicant/Accused Jayendra s/o Gulab Deshpande in Crime No.0363 of 2025 registered with Lakhandur Police Station, District Bhandara for the offence punishable under Sections 308(2), 132, 296, 352, 356, 351(2) of the Bharatiya Nyaya Sanhita (BNS), 2023, be released on ad-interim anticipatory bail on his furnishing P.R. bond of Rs.25,000/- with one or two sureties in the like amount.
- (c) The Applicant shall attend concerned Police Station on every Tuesday and Friday in between 11.00 am to 3.00 pm to facilitate the

investigation during the pendency of the present application.

- (d) The Applicant/Accused shall co-operate with the Investigating Agency and shall provide his voice sample as pointed by the learned APP.
- (e) The Applicant/accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also shall not tamper with the evidence.
- (f) Breach of either of condition would give rise to the prosecution to move this Court for cancellation of bail.

(RAJ D. WAKODE, J.)

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