



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

CRIMINAL APPLICATION (ABA) NO. 281 OF 2026

VIJAY S/O SITARAM KHAWSE

VS

STATE OF MAHARASHTRA THR PSO., PS KAPIL NAGAR, TQ. AND DIST. 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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Shri A.B. Moon, Advocate for applicant.

Shri A.M.Ghogare, APP for respondent/State.

CORAM: RAJNISH R. VYAS, J.

DATED : 16th APRIL, 2026.

Apprehending the arrest, the applicant has preferred this application for the grant of anticipatory bail in connection with Crime No. 67/2026, dated 12/02/2026, registered with Police Station Kapil Nagar, Nagpur for the offence punishable under Section 308(2) of the Bharatiya Nyaya Sanhita, 2023 (for short, 'BNS').

2. The informant, namely Abdul Rizwan Bhure Khan Shaikh, has alleged that, he has valid business of purchasing and selling scrap material and that, in the month of January, 2025, an unknown person visited his shop and told him that, he was working as a reporter and runs a YouTube channel. The said unknown person then told the informant that, since the applicant sells the stolen property, he would have to pay the certain amount to him, else he would make viral the news regarding the same. The said person had demanded an amount of Rs. 10,000/- and finally, it was agreed that, an amount of Rs. 5,000/- would be paid by the informant to the Applicant, which

was accordingly paid to him. It is further alleged that, thereafter, the Applicant in the month of December, 2025 and on 03/02/2026, again demanded the amount by advancing the same reason. On 03/02/2026, the informant refused to pay the amount to him, but ultimately, due to fear, on 10/2/2026, he paid an amount of Rs. 2,000/- by transferring it to his PhonePe Number. It is in this background that, the First Information Report/Crime was registered.

3. The learned counsel for the Applicant has contended that, there is a delay in lodging the FIR and that the Applicant, being a social worker, is falsely implicated in the said offence. According to him, the custodial interrogation of the present Applicant is not required at all. He submitted that, no man of ordinary prudence would accept an amount of extortion by electronic transfer.

4. Per contra, the learned APP for the State submits that, the offence is serious and he prays for time to produce the case diary and place his reply on record.

5. The allegations made in the FIR, *prima facie*, shows that, there is a delay in lodging the FIR. The offence is punishable with a maximum term of imprisonment of seven years, therefore, the immediate custodial interrogation of the present Applicant is not required. Hence, in view of the aforesaid discussion, till the filing of the reply, the following order is passed:-

ORDER

- i) Issue notice to the respondent, returnable after one week.
- ii) The learned APP waives notice for the respondent/ State.
- iii) In the event of arrest, in connection with Crime No. 67/2026, dated 12/02/2026, registered with Police Station Kapil Nagar, Nagpur City for offence punishable under Section 308 (2) of BNS, the applicant be released on ad-interim bail on furnishing P.R. bond of Rs. 50,000/- (Rupees Fifty Thousand Only) with one solvent surety in the like amount.
- iv) The applicant shall attend the concerned Police Station on 18th, 19th and 20th of this month, between 12.00 p.m. to 02.00 p.m.
- v) The applicant shall cooperate with the investigating agency and shall not tamper with the prosecution evidence or influence the witnesses.
- vi) The applicant shall not leave the India without previous permission of the Court.

(RAJNISH R. VYAS, J.)