



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

61 ANTICIPATORY BAIL APPLICATION NO. 662 OF 2024

AJINKYA ROBERT BHAMBAL

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Applicant : Mr. Dharurkar Chaitanya V.

APP for Respondent/State : Mr.P.K. Lakhotiya

Advocate for Respondent no.3 : Mr.Tambe Rahul A.

...

CORAM : **SHIVKUMAR DIGE, J.**

DATE : 23rd September, 2024.

P.C.:

1. Leave to amend the prayer clauses.
2. The applicant apprehends arrest in connection with FIR No.884 of 2023 registered with Shrirampur City Police Station, Dist.Ahmednagar, for the offences punishable under sections 354, 354-D, 295-A, 323, 504 and 506 of the Indian Penal Code (For short, "IPC") and sections 8 and 12 of the Prevention of Children from Sexual Offences Act, 2012.
3. It is prosecution's case that the informant knows the applicant and he was asking mobile number of the informant. On 17th August, 2023, when the informant was returning from her college, at that time the applicant came on motorcycle from her back side and showed knife to the informant and pulled her hand and threatened her to sit on his motorcycle. He was threatening the informant to accept the Christian religion. Due to act of the applicant, the informant shouted. As the incident was happened near the house of the informant, by

hearing her shout, her brother came out. At that time, informant told her brother about the incident. When brother of the informant confronted with the applicant, it is alleged that the applicant pushed down the informant's brother and manhandled and threatened him.

4. It is the contention of the learned counsel for the applicant that the applicant has been falsely implicated in this case. There is three days delay in lodging the complaint. The allegations against the applicant are that he pulled hand of the informant and threatened her to accept the Christian religion. Considering the allegations against the applicant, his custodial interrogation is not required and requested to allow the application.

5. It is the contention of the learned APP along with the learned counsel for respondent no.3 that the informant is minor girl. When she was returning to her house, the applicant showed knife, pulled her hand and threatened to accept the Christian religion. Incident was happened near the house of the informant. Considering the allegations against the applicant, his custodial interrogation is required and requested to reject the application.

6. I have heard both the learned counsel. Perused the F.I.R. and police papers produced on record.

7. The allegations against the applicant are that he showed the knife to the informant, pulled her hand and asked her to accept the Christian religion. There is three days delay in lodging the F.I.R.

Considering these facts, the custodial interrogation of the applicant is not required and I pass the following order :-

ORDER

- (i) The application is allowed.
- (ii) In the event of arrest of the applicant in connection with FIR No.884 of 2023 registered with Shrirampur City Police Station, Dist.Ahmednagar, for the offences punishable under sections 354, 354-D, 295-A, 323, 504 and 506 of the Indian Penal Code and sections 8 and 12 of the Prevention of Children from Sexual Offences Act, 2012, the applicant be released on executing personal bond in the sum of Rs.25,000/- with one surety of the like amount, on the following conditions :-
 - (a) the applicant shall attend the concerned police station as and when required by the Investigating Officer.
 - (b) the applicant shall not enter in village where the informant stays and shall not contact the informant and her family members, till filing of the charge-sheet.
- (iii) It is made clear that the observations made in this order are prima facie in nature and the trial Court shall not get influenced by the same and decide the trial on its own merits.

[SHIVKUMAR DIGE, J.]