



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

**958 ANTICIPATORY BAIL APPLICATION NO. 863 OF 2024**

Rohit Ganesh Sakat

..APPLICANT

-VERSUS-

1. State of Maharashtra
2. The District Superintendent of Police
3. X.Y.Z.

..RESPONDENTS

Advocate for Applicant : Mr.D.R. Kale  
APP for Respondent/State: Ms.R.R. Tandale  
Advocate for respondent no.3 : Mr.Y.H. Lagad

...  
CORAM : **SHIVKUMAR DIGE, J.**

DATE : 11<sup>th</sup> July, 2024.

**P.C.:**

1. The applicant apprehends arrest in connection with FIR No.162 of 2024 registered with Karjat Police Station, Dist. Ahmednagar, for the offences punishable under sections 363, 376 (2)(J)(N), 506, 212 of the Indian Penal Code (For short, "IPC") and sections 4, 6 and 12 of the POCSO Act.
2. It is prosecution's case that on 11<sup>th</sup> March, 2024, the victim is kidnapped from her house by accused no.1 Sanket. It is alleged that accused no.1 and victim stayed at various places and on one day, they stayed in the house of the applicant.
3. It is contention of the learned counsel for the applicant that the applicant has been falsely implicated in this case. The learned counsel further submitted that after kidnapping accused no.1 and victim stayed at various places. They were on run for 4 to 5 days. One day they

stayed with applicant. The applicant was not aware that accused no.1 kidnapped the victim and as a relative of accused no.1, the applicant permitted accused no.1 and victim to stay in his house. He has no any criminal intention in his mind and on the next day, they went away. Considering the allegations against the applicant, custodial interrogation of the applicant is not required, hence requested to allow the application.

4. It is contention of the learned APP along with learned counsel for assisting P.P. that the victim is minor. The applicant was aware that accused no.1 had kidnapped the victim. In spite of that, he gave shelter to them. Custodial interrogation of the applicant is required, hence requested to reject the application.

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

6. The allegations against the applicant are that accused no.1 and victim stayed for one day at his house. It does not disclose from the police papers that the applicant was aware that accused no.1 had kidnapped the victim nor the victim told the applicant that she was kidnapped by accused no.1. Considering allegations against the applicant, 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.162 of 2024 registered with Karjat Police Station, Dist.Ahmednagar, for the offences punishable under sections 363, 376 (2)(J)(N), 506, 212 of the Indian Penal Code and sections 4, 6 and 12 of the POCSO Act, the applicant be released on executing personal bond in the sum of Rs.15,000/- 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.

**[ SHIVKUMAR DIGE, J. ]**

*sga*