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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO. 139 OF 2025

Najmin Dastagir Shaikh,
Age: 20 years, Occu.: Labour,
R/o. Kolpe, Vasti, New Village,
Bori Paradhi, Daund, Tq. Daund,
Dist. Pune.
Present R/o. In front of Devi Mandir,
Dargah Road, Osmanabad (Dharashiv). ... Applicant

Versus

1. The State of Maharashtra
Through Police Station Officer,
Dharashiv City Police Station,
Tq. & Dist. Dharashiv.

2. X. ... Respondents

.....
Mr. Akash D. Gade, Advocate for Applicant
Mr. C.V. Bhadane, APP for Respondent No.1 – State
Mr. Kalpana Kulkarni, Advocate (appointed) for Respondent
No.2.

.....
CORAM : ABHAY S. WAGHWASE, J.

DATED : 13 MARCH 2025

PER COURT :-

1. Applicant seeks grant of regular bail on account her arrest
in Crime No.0491 of 2024, registered at Dharashiv City Police
Station, District Osmanabad for offence punishable under
Section 137(2) of the Bharatiya Nyaya Sanhita (BNS).

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2. Pointing to the date of arrest of the applicant as 04.12.2024, learned counsel for the applicant submitted that applicant is a lady. That, only allegation against her is that, she allured the girl, who was said to be between 14 to 16 years of age. That, there are allegations that, the said girl had love relations with the accused. That, except such allegations, no other overtact is attributed to her. Learned counsel pointed out that, already girl was taken into custody of her parents, and therefore, no further recovery is to be made at the instance of applicant. As the applicant is ready to abide all and any conditions imposed by this Court, learned counsel seeks grant of bail.

3. Learned APP opposed the bail application on the ground that applicant is named in the FIR itself. That, at the instance of applicant, a minor left the custody of her parents. That, investigation is still in progress. Moreover, learned APP apprehends misuse of liberty.

4. Heard both the sides. Perused the FIR dated 30.11.2025. Informant has reported that, she is vegetable vendor, and she resides with her family comprising of husband and daughter. She alleged that, on 28.11.2024 around 04:00 p.m., her victim-daughter aged 14 years, went with the present applicant towards Deshpande Stand for consuming some snacks, and she did not

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return. Apparently, therefore, on above report crime has been registered for kidnapping the girl for unknown reason.

5. Now, the girl is already said to be back in the custody of her mother-informant. Papers do not show that any further recovery or discovery to be made at her instance. Applicant is a lady. However, apprehension of misuse of liberty is taken care of by imposing stringent conditions. Hence, the following order:

ORDER

- (i) Application is allowed.
- (ii) Applicant Najmin Dastagir Shaikh, be released on bail in connection with Crime No.0491 of 2024, registered with Dharashiv City Police Station, District Osmanabad, on executing Personal Bond of Rs.15,000/- with one surety in the like amount on following conditions:
 - [a] The applicant shall not tamper prosecution evidence.
 - [b] The applicant shall not enter vicinity where the informant and her near and dear ones resides.
 - [c] The applicant shall attend the concerned police station twice in every week i.e. on every Monday and Thursday, till committal of case and thereafter, shall regularly attend each and every effective date before the trial court.
- (iii) Fees of learned Advocate, who is appointed to represent cause of respondent no.2 is to be paid by the High Court Legal Services Sub-Committee, Aurangabad as per rules.

ABHAY S. WAGHWASE,
JUDGE