



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

934 ANTICIPATORY BAIL APPLN. NO. 241 OF 2025

**DATTA DADA SHINDE
VERSUS
THE STATE OF MAHARASHTRA**

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Advocate for Applicant : Mr.V.S.Wakale h/f.
Mr.S.G.Ghongade
APP for Respondent-State : Mr.G.O.Wattamwar
Advocate for assist to P.P. : Mrs.S.G.Sonawane

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**WITH
CRIMINAL APPLICATION NO. 836 OF 2025
IN ABA/241/2025**

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CORAM : ARUN R. PEDNEKER, J.

DATE : 02.04.2025

P.C. :

1] Heard. For the reasons stated in Criminal Application No.836/2025 for assisting to the P.P., the same is allowed. Criminal Application is disposed of accordingly.

2] Heard learned counsel for the applicant, the learned APP for the respondent-State and the learned counsel for the assist to P.P.

3] The applicant is apprehending arrest in connection with Crime No.33/2025, registered with Shrigonda Police Station, Taluka Shrigonda, District

Ahmednagar, for the offence punishable under Sections 377, 354, 504, 506, 498-A, 323, 34 of the IPC.

4] This Court, by order dated 21.02.2025, has granted interim protection in favour of the applicant.

5] The learned counsel for the applicant submits that it is alleged in the complaint that the marriage between the applicant and informant was performed on 24.02.2023. After the marriage, she was treated well. Thereafter, the applicant and in laws of the informant started ill-treatment and harassment. It is further alleged that the father in law and brother in law insisted her to keep illicit relationship with them and they had scuffled with her and outraged her modesty. The applicant i.e. husband of the informant committed unnatural sex against the will of the informant. On the basis of said allegations, the FIR is lodged. He further submits that in terms of order dated 21.02.2025, the applicant has co-operated with the investigation and the medical investigation has already done.

6] The Additional Sessions Judge has rejected anticipatory bail on the ground that the medical examination of the applicant as well as recovery of clothes would be required in the matter. Both aspects can be done without custody of the applicant. The relations between the applicant and the informant are not cordial and due to

which the possibility of over-implication cannot be ruled out. Considering the same, the interim protection granted by order dated 21.02.2025, stands confirmed, in the following terms :

i] The applicant shall attend the concerned police station as and when required by the investigating officer.

ii] The applicant shall not tamper with the evidence of the prosecution in any manner. He shall not influence the informant, witnesses and other persons concerned with the case.

iii] The applicant shall co-operate with the investigation and also in the proceedings before the trial Court.

7] In the event, the applicant violates any of the conditions specified in this order, it shall be liable to be cancelled.

8] It is also clarified that the observations made in this order are limited to the disposal of the present anticipatory bail application and the trial Court shall proceed further in the matter without being influenced by the observations made hereinabove.

9] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

DDC