



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

965 ANTICIPATORY BAIL APPLICATION NO. 362 OF 2025

JAMIL MUSTAFA PATHAN

VERSUS

THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Pralhad Chagan Bhagure

APP for Respondent/State: Mr. B. B. Bhise

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CORAM : ARUN R. PEDNEKER, J.

DATE : 17.04.2025

P.C. :

1] Heard learned counsel for the applicant and the learned APP for the respondent-State.

2] The applicant is apprehending arrest in connection with Crime No.167/2024, dated 11.07.2024, registered at Tirthpuri Police Station, District Jalna, for the offences punishable under Sections 64, 64(2)(m), 74, 78, 87, 351(2)(3) of the Bharatiya Nyaya Sanhita, 2023.

3] This court by order dated 06.03.2025 granted interim protection to the applicant noticing submissions and reasons at paragraph no.1, as under:

“1. Perused the charge-sheet. It appears that the applicant and the informant were together for eleven days and traveled from place to place. Prima facie, this appears to be a case of consensual relation.”

4] The learned counsel for the applicant submits that thereafter the applicant has attended the police station and cooperated with the investigation. This court has also observed that the relations prima facie are consensual and also considering the papers of the case, interim protection was granted to the applicant.

5] The learned APP submits that in the medical examination done of the victim, she is shown as pregnant. However, the parties are adults; the victim is aged 40 years.

6] Considering the consensual relations and the age of the parties, the interim protection can be confirmed.

7] In view of the above, the interim protection granted by order dated 06.03.2025 stands confirmed, on the following terms:

i] The applicant shall attend the 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.

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

9] 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.

10] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

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