



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

937 BAIL APPLICATION NO.1100 OF 2025

**IRFAN ANSAR PATHAN
VERSUS
THE STATE OF MAHARASHTRA**

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Advocate for Applicant : Mr.Sagar P. Mahale h/f. Mr.Shaikh
Mazhar A. Jahagirdar

APP for Respondent-State : Mr.S.M.Ganachari

Advocate for Respondent no.2 : Ms.Smita Chole [Kendre]

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CORAM : ARUN R. PEDNEKER, J.

DATE : 08.07.2025

P.C. :

1] Heard learned counsel for the applicant, the learned APP for the respondent-State, so also, the learned counsel for the respondent no.2.

2] The applicant is seeking bail as he is arrested on 28.03.2025 in connection with FIR No.201 of 2025, registered with Bhingar Camp Police Station, Ahilyanagar, for the offence punishable under Sections 78 of the BNS and under Section 12 of the Protection of Children from Sexual Offences Act, 2012.

3] The learned counsel for the applicant submits that the offence punishable is of 3 years. The applicant is

arrested on 28.03.2025 and the charge sheet is filed and the investigation is complete. He further submits that there are no criminal antecedents against the present applicant.

4] The learned counsel for the respondent no.2 submits that release of the applicant would create terror situation qua victim girl.

5] The learned counsel for the applicant submits that he would stay away from Bhingar Camp Police Station, Ahilyanagar.

6] The charge sheet is filed in the matter. The investigation is complete and that the applicant is in custody from 28.03.2025, so also, there are no criminal antecedents against the present applicant. In view of the same, the applicant is granted bail. The application is allowed in the following terms :

a] The applicant shall be released on bail in connection with FIR No.201 of 2025, registered with Bhingar Camp Police Station, Ahilyanagar, for the offence punishable under Sections 78 of the BNS and under Section 12 of the Protection of Children from Sexual Offences Act, 2012, on furnishing PR bond of Rs.20,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

b] The applicant shall not enter the jurisdiction of concerned Police Station, during pendency of the trial, except for attending the courts.

c] The applicant, upon being released on bail, shall not contact the informant, in any manner whatsoever, during the pendency of the trial.

d] The applicant shall co-operate with the trial Court and he shall attend each and every date, unless exempted by the trial Court.

e] The applicant shall not tamper with the evidence of the prosecution and he shall not influence the informant, witnesses and other persons concerned with the case.

f] The applicant, upon being released on bail, shall place on record of the trial Court the details of his Contact Number and residential address with updates in case of any change.

7] Needless to say, in case of violation of any of the aforesaid conditions, the bail granted to the applicant shall be liable to be cancelled. It is also clarified that the observations made in this order are limited to the disposal

of the present bail application. The concerned Court shall proceed further in the matter without being influenced by the observations made hereinabove.

8] The application stands disposed of.

9] Ms. Smita Chole [Kendre], learned counsel appointed by this Court to represent the cause of respondent no.2, shall be paid fees of Rs.10,000/- by the High Court Legal Aid Services Sub-Committee, Aurangabad.

[ARUN R. PEDNEKER]
JUDGE

DDC