



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

ANTICIPATORY BAIL APPLICATION NO.1100 OF 2025

. Shaikh Rahim Rashid,
Age: 30 years, Occu.: Labour,
R/o. Barkat Nagar,
Tq. Parli Vj. Dist. Beed. Applicant

Versus

1. The State of Maharashtra,
Through Kotwali Police Station,
Parbhani.
2. The Superintendent of Police,
Parbhani.
3. Bushra Begum Shaikh Rahim,
Age: 22 years, Occu.: Household,
R/o. Sanjay Gandhi Nagar,
Tq. & Dist. Parbhani. Respondents

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Mr. G.R. Syed, Advocate for Applicant
Mr. S.B. Narwade, APP for Respondents No.1 and 2
Mr. Akshay Kulkarni, Advocate for Respondent No.3
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CORAM : ABHAY S. WAGHWASE, J.
RESERVED ON : 19 AUGUST, 2025
PRONOUNCED ON : 20 AUGUST, 2025

ORDER :

1. Applicant seeks anticipatory bail in connection with crime bearing No.0229 of 2025 registered with Kotwali Police Station, District Parbhani, for offences punishable under Sections 351(2) and 352 of the Bharatiya Nyaya Sanhita (BNS) and Sections 3 and 4 of Muslim Women's (Protection of Marriage) Act, 2019.

2. Learned counsel submitted that, the FIR has been lodged at the instance of the wife, primarily due to her annoyance over the pronouncement of divorce (Talaq) by the applicant. It is further submitted that although there are allegations of abuse and issuance of threats, the same are general in nature. It is contended that, considering the nature of the allegations, there is nothing to be recovered or discovered from the applicant. That, the alleged incident took place on 03.06.2025, while the FIR was lodged on 04.06.2025. As the applicant is ready to cooperate with the investigation, learned counsel urges to grant pre-arrest bail.

2. Learned APP opposed the application on the ground that, the applicant has been specifically named by the wife, and that his custodial interrogation is necessary for proper investigation. Therefore, learned APP sought rejection of application.

3. Heard. Perused the FIR dated 04.06.2025, wherein the informant has alleged that within 8–10 days of her marriage with the present applicant, she was subjected to harassment and her character was suspected and so she had lodged report resulting into registration of crime bearing No.124 of 2025. It is further reported that, in the above backdrop, the present applicant, along with others, came to her

maternal house and gave divorce in accordance with Muslim rituals, and she has also alleged that threats to kill were issued.

4. In the light of above allegations, apparently that there is marital discord. Considering the nature of allegation, when no recovery or discovery is to be made from the applicant and further investigation can be carried out by securing the presences of the applicant. Hence, I proceed to pass the following order:

ORDER

- (i) Application is allowed.
- (ii) In the event of arrest of applicant in connection with crime No.0229 of 2025 registered with Kotwali Police Station, District Parbhani, for offences punishable under Sections 351(2) and 352 of the Bharatiya Nyaya Sanhita (BNS), he shall be released on executing PB. and S.B. of Rs. 20,000/- with one surety in the like amount.
- (iii) The applicant shall attend the concerned police station as and when called by the Investigating Officer, till the filing of the charge-sheet and shall cooperate with the investigation.
- (v) The applicant shall not tamper the prosecution evidence.

**ABHAY S. WAGHWASE,
JUDGE**