



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

8 ANTICIPATORY BAIL APPLICATION NO.1130 OF 2025

Shaikh Azhar Shaikh Ayyub

..Applicant

VERSUS

The State of Maharashtra And Another

..Respondents

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Shri. Dhananjay Shrikant Patil, Advocate for the Applicant

Shri. C. V. Bhadane, APP for the Respondent – State.

Shri. V. S. Wakale, Advocate for the Respondent No.2

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CORAM : NEERAJ P DHOTE, J.

Dated : OCTOBER 06, 2025

PER COURT :-

. Heard the learned Advocate for the Applicant, the learned APP for the State and the learned Advocate for the Respondent No.2 – Prosecutrix. Perused the papers on record.

2. The Prosecutrix lodged the Report with the Mukundwadi Police Station, Dist. Chhatrapati Sambhajnagar (City) on 23.05.2025 that, she was residing with her Husband. Her Husband was the Meson. The Applicant was the Contractor with whom her Husband was working. The Prosecutrix and the Applicant came in contact. The Applicant expressed his love to her and told her that, he wants to marry her. The Applicant established physical relations with the Prosecutrix. The Prosecutrix got pregnant. The Applicant asked her to undergo abortion. The Prosecutrix refused to abort. The Applicant threatened her to

defame. Eventually, the Prosecutrix lodged the Report and Crime No.0196/2025 came to be registered for the offence punishable under Sections 69 and 351 (2) of the Bharatiya Nyaya Sanhita, 2023 (for short, 'BNS'). The age of the Prosecutrix as seen from the FIR was 22 years. The incident as per FIR was from June-2022 and onwards. Therefore, it is clear that, the Prosecutrix was major when the Applicant came in contact with her. The Police papers show that, in her Statement before the learned Magistrate recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS'), she stated that, she was in love with the Applicant and they had consensual physical relations and the Applicant was ready to marry with her. According to the learned Advocate for the Prosecutrix, the Prosecutrix had filed the Affidavit before the learned Sessions Court that she lodged the Report in anger. In this view of the matter, I am inclined to grant the Application and hence the following order.

ORDER

- i) The Application is allowed.
- ii) In the event of arrest of the Applicant in connection with Crime No.0196/2025 registered with Mukundwadi Police Station, Dist. Chhatrapati Sambhajnagar (City), he be released on bail on executing P.B. of Rs.15,000/- (Rupees Fifteen Thousand) with one surety in the like amount.
- iii) The Applicant shall attend the concerned Police Station as and when called.

- iv) The Applicant shall not tamper the evidence of the Prosecution in any manner.
- v) Bail before the Trial Court.
- vi) The Application stands disposed off.

(NEERAJ P. DHOTE, J.)

GGP