



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 1167 OF 2025

Natwar Jujarya Pawara ... Applicant
Versus
The State of Maharashtra and another ... Respondents

WITH

ANTICIPATORY BAIL APPLICATION NO. 962 OF 2025

Mina Natwar Pawara ... Applicant
Versus
The State of Maharashtra and another ... Respondents

WITH

ANTICIPATORY BAIL APPLICATION NO. 1168 OF 2025

Anil Natwar Pawara ... Applicant
Versus
The State of Maharashtra and another ... Respondents

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Shri Avinash N. Barhate Patil, Advocate for the Applicants.
Shri S. B. Narwade, APP for the Respondents/State.

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CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 22 AUGUST 2025

PRONOUNCED ON : 26 AUGUST 2025

ORDER :

1. All three applicants, who are parents and son, apprehending arrest in Crime No.78 of 2025 registered with Dhadgaon Police Station, District Nandurbar, for offence punishable under sections 64(1), 64(2)(f), 64(2)(m), 127(4), 142, 351(2),

351(3), 137(2) and 3(5) of Bharatiya Nyaya Sanhita, have pressed into service present applications for pre-arrest bail.

2. Learned counsel for each of the applicant would point out that, applicant in ABA No.962 of 2025 is mother, who works as *Anganwadi Sevika*, applicant in ABA No.1167 of 2025 is father and he works as a teacher and they both are thus parents of applicant in ABA No.1168 of 2025. He pointed out that, false report has been lodged by informant a major girl, who is 20 years of age and was in love relations with applicant of ABA No.1168 of 2025, namely Anil. That, there was long acquaintance. He pointed out that, allegations are that, on the night of 04.04.2025, in all 12 persons including above applicants took away informant from her house and there are allegations of threat to kill. Learned counsel pointed out that, all allegations are false, baseless and afterthought by the informant at the instance of her brother and family members. That, informant had travelled long distance from her house to S.T. stand, Shahada and from there to Sambhajinagar, but according to him, at no point of time, even when there was no threat and in spite of traveling in public transport, did not raise hue and cry. That, she stayed with applicant Anil from morning of 05.04.2025 till 14.05.2025 i.e. more than a month. Her stay was as per her wish. Even at Sambhajinagar, she alleged that, applicant used to go out for work, but she did not

report to anyone about forcibly being brought or detained. Subsequently, on 16.05.2025, above false report has been lodged that too at the instance of family members. Learned counsel took this court through the photographs as well as whats app chats, which are alleged to be informant and applicant Anil.

3. Learned counsel further emphasized that parents and relatives are falsely named with intention of roping entire family members. He pointed out that, both parents are in Government service. That, if they are apprehended, it is his submission that it would adversely affect their services. On the contrary, they being Government service, they both would co-operate with the investigating machinery and for above reasons, anticipatory bail is urged for.

4. Learned APP strongly opposed on the ground that serious allegations are levelled. That, the informant girl is kidnapped from her house by issuing threats, when she had been to ease herself. That, after threatening to harm her and her family members at knife point, she is brought to the bus stand by 12 persons including present applicants. That, the girl was alone and helpless. According to him, she succumbed to the pressure and threat. He would submit that girl has defined clear role of each of the applicant. Applicant Anil had

sexually ravished by use of knife. He pointed out that, there is statement of victim under section 164 of Cr.P.C. apart from statements of friend of informant. That, vehicle and knife is yet to be seized. Therefore, for thorough and effective investigation, learned APP has opposed the anticipatory bail application.

5. Perused the FIR. As pointed out, informant seems to be 20 years old age girl. Substance of the FIR is that, applicant of ABA No. 1167 of 2025 is her cousin uncle. His son, who happens to be her cousin, namely Anil used to visit their house. She reported that, on 04.04.2025, around 2:00 p.m., when she went to ease herself outside the house, it is alleged that, applicant of ABA No. 962 of 2025 and ABA No. 1167 of 2025, namely Mina and Natwar tied handkerchief to her face and she was taken towards a Bolero vehicle, which was occupied by other accused including Anil and she was brought towards S.T. Stand, Shadada and there it is alleged that, after issuing threats to kill to her family, she was forced to accompany applicant Anil, who is said to be 21 years of age. On the way, in the journey when she tried to talk to a lady fellow passenger, again applicant Anil threatened her and she was brought to Sambhajinagar and kept in a room. She has alleged that, he used to lock her in the room, go out and used to have sexual relations against her wish at knife point. She has given duration of their stay at such room in Mukundwadi

from 04.04.2025 to 14.05.2025 i.e. till the day during which, taking advantage of sleeping condition of Anil, she managed to approach her old friend and to whom she allegedly requested to inform her brother and they came and finally she lodged above report against 12 persons.

6. Learned counsel for applicants pointed out that there is long acquaintance and long standing love relations. Copies of photographs as well as whats app exchange are also placed on record. *Prima facie*, documents show that there is whats app exchange since the night of 04.04.2025. As stated above, girl is major. As pointed out, there does not seem to be hue and cry since bus journey from Shahada to Sambhajinagar, except there to be allegation of pointing knife by applicant Anil to not to talk to others. Duration of stay at room in Mukundwadi is from 05.04.2025 to 14.05.2025. Admittedly, said area is thickly populated locality. Even if there are allegations of being detained and locked from outside, when applicant Anil left the room, no effort seems to have been made to raise hue and cry. When she had opportunity to get in touch with her old friend, namely Ashwini, who allegedly resided her neighborhood, she did not flee and rather waited for arrival of her family member to the said room.

7. Learned counsel for applicants has placed on record

photocopies of employment of Mina and Natwar, who are Anil's parents.

8. In the light of above discussion, recovery of vehicle and other articles, which are said to be required by investigating agency, can also be carried out by securing presence of applicants.

9. Taking above nature of allegations into consideration, this court is inclined to extend the benefit of bail to all applicants. Hence, the following order is passed :-

ORDER

- (i) All three Anticipatory Bail Applications are allowed.
- (ii) In the event of arrest of applicants, namely (I) Natwar Jujarya Pawara, (ii) Mina Natwar Pawara and (iii) Anil Natwar Pawara, in connection with Crime No.78 of 2025 registered with Dhadgaon Police Station, District Nandurbar, for offence punishable under sections 64(1), 64(2)(f), 64(2)(m), 127(4), 142, 351(2), 351(3), 137(2) and 3(5) of Bharatiya Nyaya Sanhita, they shall be released on executing P.B. and S.B. of Rs.20,000/- each with one surety each in the like amount.
- (iii) The applicants shall attend the concerned police station as and when called by the Investigating Officer and shall co-operate in the investigation.

- (iv) The applicants shall furnish details of residential address and other contact details such as the mobile number etc. to the concerned police station. If there is any change in the contact details, the same shall be immediately informed to the concerned police station.
- (v) Applicants shall not contact and/or influence the witness/es and/or tamper with the evidence in any manner whatsoever.

(ABHAY S. WAGHWASE, J.)