



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

938 ANTICIPATORY BAIL APPLICATION NO. 1289 OF 2024

Satish Vitthal Takale

VERSUS

The State Of Maharashtra And Others

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Advocate for Applicant : Mr. Shekade Shashikant E.

APP for Respondents-State: Mr. R. S. Wani

Advocate for Respondent No.3 : Mr. Umesh Mitkari (Appointed)

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CORAM : ARUN R. PEDNEKER, J.

Dated : January 23, 2025.

PER COURT :-

1. Heard learned counsel for the applicant, the learned APP for the respondent-State, and the learned appointed Counsel for respondent No.3.
2. The applicant is apprehending arrest in connection with FIR No.0512/2024, dated 26/04/2024, registered at Rahuri Police Station, District Ahmednagar, for the offences punishable under sections 376, 376 (2)(n), 376-D, 366, 354, 307, 324, 323, 506 read with 34 of the Indian penal Code and Section 8, 11 and 12 of the Protection of Children from Sexual Offences Act, 2012.
3. This Court, by order dated 29/07/2024, granted interim protection to the applicant. The case against the applicant is registered under the Protection of Children from Sexual Offences Act, as it is the contention of the informant that, eight years prior to the complaint, when she was a minor, the applicant and the co-accused, Rushikesh Dhonde, outraged her modesty and had forcible sexual relations with her without her consent.

Thereafter, one of the accused married the informant, but thereafter divorced her. Thereafter, the present FIR was registered against the applicant and the co-accused.

4. The learned Counsel appearing for the informant submits that the applicant had allegedly issued threats eight years ago, claiming possession of a videograph, which delayed the filing of the complaint. However, the applicant has surrendered the mobile but no videograph is found in the mobile.

5. Considering the substantial delay in filing the complaint, the marriage between the co-accused and the informant, and the fact that the FIR was lodged after their divorce, the possibility of over-implication of the present applicant in the crime cannot be ruled out. Considering the same, the interim protection granted to the applicant is confirmed.

6. In view of the above, the application is allowed in the following terms : -

i] In the event the applicant is arrested in connection with No.0512/2024, dated 26/04/2024, registered at Rahuri Police Station, District Ahmednagar, for the offences punishable under sections 376, 376 (2)(n), 376-D, 366, 354, 307, 324, 323, 506 read with 34 of the Indian penal Code and Section 8, 11 and 12 of the Protection of Children from Sexual Offences Act, 2012, he shall be released on bail on furnishing PR bond of Rs.20,000/- with one or two sureties in the like amount to the satisfaction of the

trial Court.

ii] The applicant shall attend the police station as and when called by the police.

iii] 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.

iv] The applicant shall co-operate with the investigation and also in the proceedings before the trial Court.

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

8. 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.

9. The application stands disposed of.

10. Fees of the appointed Counsel is quantified at Rs.10,000/- (in words rupees ten thousand only), to be paid by High Court Legal Services Sub-Committee, Aurangabad.

(ARUN R. PEDNEKER, J.)

vj gawade/-.