



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

**931 ANTICIPATORY BAIL APPLICATION NO. 1216 OF 2025**

1. SANGITA PANDIT VAIRAT
2. SANGRAM @ SHERU PANDIT VAIRAT
3. MADHURI PANDIT VAIRAT

**...APPLICANTS**

**VERSUS**

**. THE STATE OF MAHARASHTRA AND ANOTHER**

**...RESPONDENTS**

...

- Mr. V. Y. Bhide, Advocate for the Applicants
- Mrs. A. S. Jape, APP for the Respondent No.1/State
- Mrs. Shilpa Awchar, Advocate for Respondent No.2 (appointed)

...

**CORAM : ABHAY S. WAGHWASE, J.**

**DATE : 21<sup>st</sup> AUGUST 2025**

**P. C. :-**

1. This is a pre-arrest application at the instance of the Applicants, apprehending arrest in Crime No.0392 of 2025 registered with Sangamner Taluka Police Station, Dist. Ahilyanagar, for the offence punishable under Sections 64, 64(2)(m), 64(2)(f), 65, 333, 351(2) of the Bharatiya Nyaya Sanhita, 2023 and Sections 4, 6, 5(1) of the Protection of Children from Sexual Offences Act, 2012.

2. The learned counsel for the applicants referred to the FIR and he took this Court through length and breadth of the FIR. He would submit that

there are no allegations against the present applicants. He fairly submits that the victim is approximately 14-15 years of age. That, she has been sexually abused by accused No.1, whereas the present applicants are merely named in the FIR without assigning role. The allegations against them are limited to issuing threats and trespass. Considering such allegations, the custodial interrogation is not necessary and hence, he urges for anticipatory bail.

3. Learned APP as well as learned counsel for respondent No.2/Informant, both have strongly opposed on the grounds that the girl is 13 years of age and she has been impregnated by accused No.1-grandfather. They also alleged that there were threats at the instance of present applicants when they were reported about the alleged incident by the informant. They also apprehend misuse of liberty.

4. After considering the submissions and going through the FIR, it appears that apparently allegations are directed against accused no.1 Pandit Hiranman Vairat, who surprisingly and unfortunately happens to be the grandfather of the victim, aged 13 years. As regards to the present applicants, the only role attributed to them is that they committed trespass, and they threatened the girl that she should not disclose the said occurrence to anyone. Therefore, this Court is of the opinion that custodial interrogation is not

necessary and further investigation can be carried out by securing the presence of the applicants. Accordingly, the following order is passed :

**ORDER**

- (i) Anticipatory Bail Application is allowed.
- (ii) In the event of arrest of applicants in connection with Crime No.0392 of 2025 registered with Sangamner Taluka Police Station, Dist. Ahilyanagar, for the offence punishable under Sections 64, 64(2)(m), 64(2)(f), 65, 333, 351(2) of the Bharatiya Nyaya Sanhita, 2023 and Sections 4, 6, 5(1) of the Protection of Children from Sexual Offences Act, 2012, they shall be released on executing P.B. and S.B. of Rs.15,000/- 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 till filing of charge-sheet and shall co-operate in the investigation.
- (iv) The applicants shall not tamper the prosecution evidence.
- (v) Fees of the learned counsel appointed for respondent no.2 is to be paid through the High Court Legal Services Sub-Committee, Aurangabad, as per Rules.

( ABHAY S. WAGHWASE, J.)