



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

ANTICIPATORY BAIL APPLICATION NO. 1217 OF 2025

Dhiraj @ Vijaysinh Anant TambareApplicant

Versus

The State of MaharashtraRespondent

.....
Advocate for Applicant : Mr. P.S.Dikle
APP for Respondent : Mr.C.VBhadane
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CORAM : ABHAY S. WAGHWASE, J.

**RESERVED ON : 18 AUGUST, 2025
PRONOUNCED ON : 19 AUGUST, 2025**

ORDER :

1. Applicant seeks anticipatory bail in connection with crime bearing no.0224 of 2025 registered with Kallamb Police Station, District Dharashiv (Osmanabad), for the offence punishable under Sections 75, 115(2), 352, 351(2) and 351(4) of the Bharatiya Nyaya Sanhita.

2. Learned counsel for the applicant submitted that there is false implication. That, there are cross complaints between both the parties. That, there are allegations of merely pushing informant. Considering the nature of allegations, nothing is to be recovered.

That, applicant is ready to co-operate with the investigating machinery and hence, it is urged that relief as prayed be granted.

3. Learned APP opposed on the ground that there is sexual assault apart from outraging modesty. That, there is prompt FIR. That, there is eye witness account and for thorough investigation, learned APP urges to reject the application.

4. Heard. Perused the FIR dated 22-6-2025. Informant reported that on 22-06-2025, while she was working in the field, her neighbour, present applicant, asked whereabouts of her husband and when she told that he had been to drop their daughter for examination, it is alleged that applicant unzipped his pant and by saying that, what if that she has no husband and that he is available and saying so, he allegedly made her fall down and went on her person. She raised shouts, but he caught-hold of her hands causing abrasions. Her brother-in-law namely Dattatraya Baliram Jadhav and nephew Ganesh Dattatraya Jadhav came there and seeing them, accused fled by issuing threats.

5. Above report is lodged on the same day. Learned APP has placed on record statement of Dattatraya Baliram Jadhav and he has

stated that, when he and his son Ganesh went to water filed, they heard shouts and saw, his sister-in-law quarreling with present applicant. Statement of Ganesh Dattatraya Jadhav is also recorded. Statement of informant under Section 164 of the Code of Criminal Procedure is also recorded wherein she has reiterated same contents reported by her in the FIR. However, considering the nature of allegations, when no recovery or discovery is shown to be made, and when further investigation can be carried out by securing presence of applicant, relief as prayed deserves to be granted. Accordingly, following order is passed :

ORDER

- (i) Application is allowed.
- (ii) In the event of arrest of applicant in connection with crime No.0224 of 2025 registered with Kallamb Police Station, District Dharashiv (Osmanabad), for the offence punishable under Sections 75, 115(2), 352, 351(2) and 351(4) of the Bharatiya Nyaya Sanhita, he shall be released on executing P.B. and S.B. of Rs.20,000/- with one surety in the like amount.
- (iii) The applicant shall attend the concerned Police Station on every Wednesday and Friday till filing of the chargesheet.

(iv) Applicant shall co-operate in the investigation.

(v) The applicant shall not tamper the prosecution evidence.

(ABHAY S. WAGHWASE)
JUDGE

SPT