



- 1 -

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CRIMINAL APPEAL NO.655 OF 2025

Manik s/o Pandurang Hande,
Age-34 years, Occu-Agriculturist,
R/o Varwandi, Tal.Sangamner,
Dist.Ahmednagar

-- APPELLANT

VERSUS

1. The State of Maharashtra,
Through the Police Inspector,
Ghargaon Police Station, Ghargaon,
Tal.Sangamner, Dist.Ahmednagar

2. Sandip s/o Pandurang Harmalkar,
Age-48 years, Occu-Service as Labour Officer,
R/o 108, Omshri Wajereshwar So.Sa.Keniwadi,
West Borwali, Mumbai – 91.

-- RESPONDENTS

Mr.K.N.Shermale, Advocate for the appellant.
Ms.A.S.Mantri, APP for the respondent/State.
Mr.A.F.Patni h/f Mr.Y.I.Thole, Advocate for respondent No.2.

(CORAM : SUSHIL M. GHODESWAR, J.)

DATE : 24 NOVEMBER, 2025

PER COURT :

1. The present appellant has approached this Court seeking anticipatory bail in the event of his arrest in connection with the offence registered with Ghargaon Police Station, Tal.Sangamner,

bearing FIR No.0158/2025 dated 15.05.2025. The offence is registered under Sections 16, 17, 18 of Bonded Labour System (Abolition) Act, 1976, under Sections 3, 14 of the Child Labour (Prohibition and Regulation Act, 1986, under Sections 3(1)(h) of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities Act), under sections 75 and 79 of the Juvenile Justice (Care and Protection of Children) Act and under Sections 3(5) and 146 of the Bharatiya Nyaya Sanhita, 2023. A challenge is also raised to an order passed by the learned Additional Sessions Judge, Sangamner dated 08.08.2025 thereby rejecting his bail application.

2. Crime No.0158/2025 is registered against the accused persons including the present appellant with Ghargaon Police Station, Tal.Sangamner, Dist.Ahilyanagar. The said FIR is registered on the basis of the report lodged by one Sandip Pandurang Harmalkar, who is serving as a Government Labour Officer at Ahilyanagar. In pursuance to the Bonded Labour System (Abolition) Act, 1976, the Assistant Labour Commissioner Shri Revannath Bhisale, according to him on 15.05.2025, directed him to lodge the complaint on behalf of the Government. Accordingly, they formed the raiding team and raided the

the place of incident and they found 58 people (including children), who were employed as a bonded labourers for crushing stones (rocks). Alongwith the said people, one bonded labourer namely Prashant s/o Vijay Dive is alleged to have been engaged with the appellant for sheep farming. Accordingly, by invoking the aforesaid provisions of the various above stated legislations, the FIR came to be registered against all the accused persons wherein the present appellant is accused No.5.

3. After registration of the aforesaid crime, the Investigating Officer recorded statements of various witnesses and collected material against the accused persons and filed charge sheet against them.

4. The learned Advocate for the appellant submits that since the investigation in the instant crime is already over and charge sheet is filed, there is no question of custodial interrogation as such and hence prayed for anticipatory bail to the present appellant. He further submits that vide order dated 23.09.2025, this Court has granted interim protection to this appellant and the appellant has fully co-operated with the investigation. He further states that as the investigation in this crime is already over, the present appellant may

kindly be granted anticipatory bail.

5. Per contra, the learned APP has vehemently opposed the instant appeal. She has submitted that the appellant is involved in serious crime, wherein the children below the age of 14 years, have been exploited and and they were employed and forced to do the work of sheep farming. It is further submitted that there is a statement by the father of the victim that his son was employed by the present appellant. She has further submitted that since there is an incriminating material against the appellant, the instant appeal be rejected. She has further submitted that as the accused persons were arrested and some of them are released on regular bail, the appellant cannot claim parity as a matter of right.

6. Heard the learned Advocate for respondent No.2 He has adopted the submissions of the learned AP and prayed for dismissal of the appeal.

7. On going through the record made available to this Court, it reveals that as the investigation in the instant crime is already over

and charge sheet is also filed, there is substance in the submissions of the learned Advocate for the appellant that the appellant is not required any more for custodial interrogation. The other accused persons were arrested and released on regular bail. It is clear from record that there were many children, who were employed illegally and were also exploited by the other accused persons. The allegations as regards the present appellant is in respect of only one boy of age 12 years, who was employed not for the purpose of stone crushing but he was employed only for sheep farming. Thus, it is crystal clear that the appellant is at a better footing than the other accused persons, who were released on regular bail. It is also not the case of the prosecution that the appellant is required for custodial interrogation. Therefore, as the investigation is already over, there is no point now in putting the appellant behind bars.

8. Considering all the aspects of the matter, the instant appeal is allowed on following terms and conditions :-

- a) The appellant shall be released on bail, in the event of arrest in connection with Crime No. 0158/2025 registered with Ghargaon Police Station, Dist. Ahilyanagar for the offence punishable under Sections 16, 17, 18 of Bonded Labour System (Abolition) Act, 1976; under Sections 14, 3 of the Child Labour

(Prohibition and Regulation) Act, 1986; under Section 75, 79 of Juvenile Justice (Care and Protection of Children) Act, 2015; under Section 146, 3(5) of the Bharatiya Nyaya Sanhita, 2023 and under Sections 3(1)(h) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act 1989, on his furnishing PR bond of Rs.25,000/- [Rupees Twenty Five Thousand Only], with one solvent surety/ security in the like amount.

b) Appellant shall not try to contact or pressurize the witnesses of the prosecution or the informant, in any manner whatsoever.

c) The appellant 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.

d) The appellant shall not leave the jurisdiction of the Court without prior permission of the Court, until further orders.

e) The order passed by the learned Additional Sessions Judge, Sangamner dated 08.08.2025, is quashed and set aside.

(SUSHIL M. GHODESWAR, J.)