



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

931 BAIL APPLICATION NO. 1733 OF 2025

Mansur Mazidkha Pathan

VERSUS

The State of Maharashtra and another

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Advocate for Applicant : Mr. Syed G R

APP for Respondent No.1: Mr. P.P. Dawalkar

Advocate for Respondent No.2 : Ms. Sarita Gaikwad

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CORAM : SANJAY A. DESHMUKH, J.
DATED : 4th OCTOBER, 2025.

PER COURT :-

1. This is an application for granting regular bail under section 483 Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 in connection with crime No. 270 of 2025 registered with Dewani police station, District Latur for the offences punishable under Sections 74, 75 and 79 of Bharatiya Nyay Sanhita, 2023 and Sections 8, 10 and 12 of the Protection of Child from Sexual Offences Act, 2012.

2. Learned advocate for the applicant pointed out the report wherein it is averred by the informant that on 15.08.2025, at about 12:30 to 1:00 p.m., the applicant, who is engaged in taking electric meter readings, came to her house and inquired about the whereabouts of her parents. When she informed him that her parents were not at home, the applicant signaled her to come to the side of

the house. Upon this, the informant became frightened and closed the door. She then saw through a hole in the tin door that the applicant left, smiling. When her mother came home at about 4:00 p.m. and asked her why she had not taken lunch, the informant narrated the incident to her. She further stated that about two years earlier, the applicant had asked her to sleep with him in the room and had given her money to purchase Pepsi. He had also directed her to press his legs. However, due to fear, she did not disclose that incident to anyone. When her father came at 7.00 p.m., her mother told about the incident to her father and thereafter the report was lodged.

3. Learned advocate for the applicant submitted that the applicant has been falsely implicated in the crime. The entire investigation is over. The applicant has no criminal antecedents. The applicant has roots in the society. He will not flee away from the trial. The trial will take a long period. Learned advocate for the applicant lastly prayed that the application be allowed.

4. Learned A.P.P. for the respondent-State and learned advocate for respondent No.2 have strongly opposed the application and submitted that the applicant is involved in serious crime. He has sexually abused the informant on the day of incident and even two

years prior to that also. Considering the serious nature of the crime, it is lastly prayed to reject the application.

5. Perused the papers of investigation, particularly the report and the statement of informant. Entire investigation is over. The applicant has roots in the society. He has no criminal antecedents. He will not flee away from the trial. The trial will take a long period. Considering all these reasons and the principle that the bail is rule and jail is exception, the application deserves to be allowed on certain conditions. Hence, the following order.

O R D E R

- I. Application is allowed.
- II. The applicant, in connection with crime No. 270 of 2025 registered with Dewani police station, District Latur, be released on bail on furnishing personal bond of Rs.25,000/- with one surety of the like amount on following conditions:-
 - a) The applicant shall not tamper with the prosecution evidence and shall not pressurize the witnesses, in any manner.
 - b) The applicant shall not enter in village Dhanegaon, Tq. Dewani, District Latur, for six months from today.

6. Since Ms. Sarita Gaikwad, learned advocate is appointed to prosecute the cause of respondent No.2, her fees be paid as per the schedule of fees maintained by the High Court Legal Services, Sub-Committee, Aurangabad.

(SANJAY A. DESHMUKH, J.)

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