



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

29 BAIL APPLICATION NO. 1845 OF 2025

PARTH AJAYKUMAR BHATIYA
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for applicant : Ms. Karishma S. Sarin
APP for the respondent – State : Ms. R.R. Tandale
...

CORAM : SACHIN S. DESHMUKH, J.

DATE : 22 DECEMBER 2025

PER COURT :

The applicant is seeking his release on regular bail in connection with Crime No. 186 of 2025 dated 16.06.2025 registered at Visarwadi Police Station, Dist. Nandurbar for the offences punishable under Sections 137(2), 143, 3(5) of the Bhartiya Nyaya Sanhita.

2. The incident is reported on 16.6.2025. The informant lady claims that on 11.06.2025, around 10.30 a.m. her daughter Ankita informed her by calling her on phone number of her younger daughter that, she is going for Nursing course. However, she did not return. Hence, a Missing Report 47 of 2025 was registered at City Police Station, Nandurbar. On 15.6.2025, inquiry of above girl was made with her friend and she informed that the missing girl came at her house on 10.6.2025 around 10.30 a.m. She and her friend resided there, wandered in village Khandbara, then came back to Chinchpada and again went at Khandbara with baggage. While going there, the missing girl told her that she is going to marry one boy and the friend reached at Khandbara. She claimed ignorance where the missing girl went

from Khandbara. Accordingly, crime for kidnapping was registered. Thereafter, the applicant Parth was arrested with other accused.

3. Learned counsel for the applicant submits that, the applicant was not aware about the real identity of the victim when he got married to her. In fact, it is upon the disclosure made by the victim to the family of the applicant he could know about her real identity. It is further submitted that, it was accused Kirithbhai who had introduced the applicant and the victim for the purpose of marriage. The said accused Kiritbhai is released on bail by this Court in Bail Application No. 1909 of 2025 vide order dated 20.11.2025. As such, the applicant is entitled for parity. Hence, prayed to allow the application.

4. Learned APP, for the State has vehemently opposed the application, submitting that the applicant had forcefully married the victim and established relations with her. Thus, an active role is played by the applicant in the alleged crime. The learned APP further expressed the apprehension that the applicant may flee away if released on bail. Hence, prayed to reject the application.

5. Perusal of the statement victim dated 17.06.2025 indicates that the victim was taken away by accused, namely, Bharti, whereas the accused Kiritbhai was instrumental in the marriage of the present applicant with the victim. The record sufficiently indicates that there was no coercion, threat and force committed by the applicant.

Record further indicates that the marriage of the victim with applicant was even notarized before Notary Public where victim was present and statement of Notary is also recorded. In a subsequent statement under section 183, there is substantial improvement and over implication. In that view of the matter, case is made out for exercising discretion, granting bail.

6. Furthermore, this Court has granted bail to co-accused – Kiritbhai vide order dated 20.11.2025 in Bail Application No. 1909 of 2025. Having regard to the same, coupled with absence of specific allegations of coercion or threat as against the applicant, in my considered view, the applicant is entitled for parity.

7. The investigation is complete for all intent and purpose. Resultantly, chargesheet is filed. Having regard to the number of the accused and the witnesses which the prosecution propose to examine, it is very unlikely that the trial can be commenced and concluded within a reasonable period. As such, further detention of the applicant as an under-trial prisoner, in the circumstances of the case does not seem to be either warranted or justifiable. I am, therefore, persuaded to exercise the discretion in favour of the applicant.

8. Resultantly, the following order is passed :-

ORDER

(I) Application is allowed.

II) Applicant – Parth Ajaykumar Bhatiya, be released on regular bail upon furnishing P.R. bond in the sum of Rs.1,00,000/- (One Lakh only) with one or two local solvent sureties in the like amount, in connection with Crime No. 186 of 2025 dated 16.06.2025 registered at Visarwadi Police Station, Dist. Nandurbar for the offences punishable under Sections 137(2), 143, 3(5) of the Bhartiya Nyaya Sanhita on the following conditions :-

(a) After his release from jail, the applicant shall report to the Investigating Officer as and when called for in writing.

- (b) The applicant shall attend the trial Court every month between 11.00 am to 1.00 pm. to mark his presence.
- (c) Applicant shall co-operate with the conduct of trial and attend trial Court on all dates unless specifically exempted and will not take any unnecessary adjournment.
- (d) Applicant shall not leave the State of Maharashtra without prior permission of the Trial Court.
- (e) The applicant shall not influence with any of the prosecution witnesses or tamper with the evidence, in any manner.
- (f) Before his actual release from jail, the applicant shall furnish his address where he propose to reside after his release from jail, to the concerned Police Station and also to the Trial Court.
- (g) In case of infraction of the above conditions and / or two consecutive defaults in marking his attendance before trial Court, it shall attract the provisions of Section 439(2) of Cr.P.C. i.e. for cancellation of bail.

9. Needless to state that the observations rendered herein-above are to the extent of consideration of the bail application and trial Judge may not get influenced by these observations and shall consider the case on the basis of evidence on record and in accordance with law.

[SACHIN S. DESHMUKH]
JUDGE

arp/