



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

935 ANTICIPATORY BAIL APPLICATION NO. 1724 OF 2024

Babasaheb Namdeo Rathod

Age: 51, Occu.: Agri.,

R/o. Golegaon, Shekate, Balubai Tanda,

Tq. Shevgaon, Dist. Ahmednagar.

...Applicant

VERSUS

The State of Maharashtra and Another

....Respondents

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Mr. Jaju Nikhil Santosh, Advocate for the Applicant

Mr. S. K. Shirse, APP for the Respondent - State

Mr. Sajed W. Khan h/f Mr. Pankaj A. Bharat, Advocate for the Victim
[Assist to PP]

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CORAM : NEERAJ P. DHOTE, J.

DATE : 16.09.2025

PER COURT :

1. Heard the learned Advocate for the Applicant, learned APP for the Respondent – State and the learned Advocate for the Victim.

2. As Crime No.0631/2024 is registered with the Shevgaon Police Station, District Ahilyanagar [Ahmednagar] for the offence punishable under Sections 74, 351(2) and Section 351(3) of the Bharatiya Nyaya Sanhita Act, 2023 [hereinafter referred to as 'BNS'] and Sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012 [hereinafter referred to as 'the POCSO Act'], the Applicant is apprehending his arrest, and therefore, he has filed this Application for Anticipatory Bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

3. It is the case of the Prosecution that, in the morning of 23/07/2025, when the Victim, aged 14 years and 8 months, had gone to answer the nature's call, the Applicant came from the backside, hugged the Victim and made her to fall down and threatened her to kill if she informs her grandmother and left. When the Victim informed about the said incident to her grandmother, the grandmother informed the same to the Victim's father and she lodged the report with the Police. There is a previous Crime bearing No.0632/2024 registered against the Informant and his brother on the report lodged by the wife of the Applicant with the same Police Station and the said Crime for the offence punishable under Sections 74, 351(2), 351(3) and Section 352 of BNS came to be registered. The Applicant and the Informant are related to each other. Their relations appear not to be cordial. There is four [04] days delay in lodging the report in the case at hand.

4. The learned Advocate for the Victim tenders across the bar a copy of communication addressed by the Head Master of the Victim's School to the father of the Victim about the continuous absence of the Victim from the School. He also tenders across the bar a copy of an Affidavit of the mother of the Victim stating that, the Applicant, being a Sarpanch of Village, is an influential person and is giving threats to them and they were constrained to leave the Village along with the Victim. There is nothing to show that, any previous report was lodged by the Informant or his family members in respect of threatening by the Applicant to them. As both the sides are at loggerheads, the possibility of filing the proceeding to ensure rejection of this Application cannot be ruled out. According to the telephonic information from the Investigating Officer to the learned APP, the Charge-sheet has been submitted. The Applicant was protected by an Interim Order dated 11/10/2024. In this view of the matter, I am inclined to confirm the Interim Order. Hence, the following order:

ORDER

- [I] Interim Order dated 11/10/2024 granted by this Court is confirmed.
- [II] The Condition No. (ii) is relaxed.
- [II] Anticipatory Bail Application stands disposed off accordingly.

[NEERAJ P. DHOTE, J.]

Sameer/September-2025