



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

957 ANTICIPATORY BAIL APPLICATION NO. 1758 OF 2024

PARTH PRAKASH THITE

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Applicant : Mr. C.C. Deshpande and Mr. B.N. Magar

APP for Respondents 1 & 2 : Mr. A.A.A. Khan

Advocate for Respondent 3 : Mr. R.R. Kale

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 27/03/2025

PER COURT :

1. Heard the learned counsel for the applicant and the learned APP for the respondents-State and Mr. R.R. Kale, learned advocate for respondent No. 3.

2. The applicant is apprehending arrest in connection with Crime No. 498/2024 dated 15.9.2024 registered with Aundha Nagnath Police Station, District Hingoli for the offences punishable under sections 64, 352, 351(2), 3(5) of B.N.S., 2023 and sections 4,8,12 of the POCSO Act, 2012.

3. This Court by order dated 17.10.2024 has granted interim protection to the applicant by noticing the submissions at para No. 5, as under :-

"5. Learned counsel for applicant submit that, during the course of anticipatory bail application before the learned Additional Sessions Judge, liberty of applicant was protected till dismissal of application. He drew attention of this Court to the contents of first information report, on the basis of which, it is his submission that, this could be a case of false implication."

4. From the FIR, it can be said that the applicant and the victim had relations for a long time i.e. when the victim was of 16 years and the applicant was of 18 years. The victim is now major. Without going into the

specific allegations, since the relations appears to be consensual, the interim protection granted on 17.10.2024 can be confirmed.

5. In view of the above, the application is allowed and the interim protection granted on 17.10.2024 is confirmed on the following terms :

i] The applicant shall attend the police station as and when required.

ii] The applicant shall not tamper with the evidence of the prosecution in any manner. He shall not influence the informant, witnesses and other persons concerned with the case.

iii] The applicant shall co-operate with the investigation and also in the proceedings before the trial Court.

6. In the event, the applicant violates any of the conditions specified in this order, it shall be liable to be cancelled.

7. It is also clarified that the observations made in this order are limited to the disposal of the present anticipatory bail application and the trial Court shall proceed further in the matter without being influenced by the observations made hereinabove.

8. The application stands disposed of.

SSC/

[ARUN R. PEDNEKER, J.]