



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

927 ANTICIPATORY BAIL APPLICATION NO. 1782 OF 2024

RASHTRAPAL BHIMA BHAGAT  
**VERSUS**  
THE STATE OF MAHARASHTRA AND ANOTHER

.....

Mr. Shailendra S. Gangakhedkar, Advocate for Applicant  
Mr. M. K. Goyanka, APP for the Respondent/State

CORAM : ADVAIT M. SETHNA, J.  
DATE : 15 JULY 2025

**P. C. :-**

1. Heard learned Advocates for the parties.
2. With the assistance of the learned Advocate for the Applicant and learned APP for the State, I have perused the order dated 18 October 2024 by which protection was granted in favour of the Applicant subject to certain terms and conditions as duly recorded in the said order. The Court has taken into consideration of the contents in the FIR. As recorded, it appears that the parties are adults who are in consensual relationship as stated to be a love affairs between them, and as submitted by learned Advocate for the Applicant this is not a case of rape as alleged. Pursuant to the order dated 18 October 2024, the Applicant as submitted by learned APP, on instructions, has co-operated with the investigation. This would indicate that he has joined the investigation.

Pursuant to the order of 18 October 2024, there is no further adverse material with regard to the *prima facie* case against the Applicant. Mr. Narwade, learned APP at this stage would submit that there is a statement of one witnesses who has stated that the Applicant has been seen running away from the incident. This in my view is matter of trial which has to be appreciated on the basis of leading evidence. In such factual complexation, custodial interrogation of this Applicant is not warranted. The order dated 18 October 2024 deserves to be confirmed. Accordingly, Anticipatory Bail of the Applicant is Allowed subject to the terms and conditions which are set out in the order below, which is my view will be meet the ends of justice.

#### **ORDER**

- (i) In the event of arrest of the Applicant in connection with Crime No. 31/2024, registered with Barad Police Station, Dist. Nanded for the offences punishable under Sections 452, 376, 376(2)(f) and 506 of IPC, he shall be released on bail on furnishing PR Bond of Rs.15,000/- (Rupees Fifteen Thousand only) with one solvent surety in the like amount.
- (ii) The Applicant shall cooperate with the investigation. He shall attend the concerned police station as and when called by the Investigating Officer until filing of the charge-sheet.
- (iii) The Applicant shall furnish details of residential address and other contact details such as 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.

- (iv) The Applicant shall not leave the jurisdiction of the Court without prior permission of the Court until further orders.
- (v) He shall not interfere with the evidence and shall not tamper with the prosecution witnesses in any manner whatsoever.
- (vi) The Applicant shall in no way establish any contact with the Informant in any manner whatsoever. If any such attempt is made and/or incident is reported to the Police Station, the prosecution is at liberty to apply for cancellation of the protection conferred upon him by this order.

3. Needless to mention that these are *prima facie* observations made in adjudicating this ABA.

4. The ABA is allowed in above terms.

(ADVAIT M. SETHNA, J.)

ssp