



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

44 BAIL APPLICATION NO. 2149 OF 2025

REWANT ANAND SINH (SINGH)
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for applicant : Mr. Sudarshan J. Salunke
APP for the respondent – State : Ms. R.R. Tandale
...

CORAM : SACHIN S. DESHMUKH, J.

DATE : 22 DECEMBER 2025

PER COURT :

The applicant has approached this Court seeking regular bail in connection with FIR bearing Crime No. 238 of 2025 dated 25.04.2025 registered with Shivajinagar Police Station, District - Beed for the offences punishable under section 64(2), 64(2)(i), 64(2)(k) of the Bharatiya Nyaya Sanhita, 2023.

2. Informant is the mother of the victim. Victim is having Borderline Intellectual functioning issue. As the victim did not have regular menses, the informant took the victim to Doctor, who conducted sonography examination and it was revealed that the victim was pregnant. When victim was questioned about the same, she was unable to disclose anything. Hence, the FIR is lodged on 25.04.2025 against unknown person in relation to the alleged incident dated

16.12.2024. The arrest of the applicant is effected on 19.05.2025 and eventually, chargesheet is filed.

3. Mr. Salunke, learned counsel for the applicant submits that it is a case of over implication on the basis of mistaken identity. Further, the DNA test also does not match the applicant being the biological father of the abortus of the victim. The statement of the victim under section 183 of the BNS exhibits that it is a case of exaggeration. Investigation is complete and chargesheet is filed. In that view of the matter, requested for enlargement of the applicant on bail.

4. Per contra, learned APP opposed the application, submitting that the victim has identified the applicant. Applicant being resident of other state, there is every likelihood of his fleeing away. She, therefore, prayed for dismissal of the application.

5. The alleged incident is dated 16.12.2024 and the arrest of the applicant is 25.04.2025. *Prima facie*, it appears that it is a case of over implication. The statement of the victim recorded under section 183 of the BNS, *prima facie*, indicates exaggeration. Nevertheless, the DNA report also does not match with the present applicant. As such, no purpose would be served by further incarceration of the applicant. In that view of the matter, case is made out for releasing the applicant

on bail. The apprehension expressed by the applicant, can be adequately taken care of by imposing stringent conditions.

6. 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.

7. Resultantly, the following order is passed :-

ORDER

(I) Application is allowed.

II) Applicant – Rewant Anand Sinh (Singh), be released on regular bail upon furnishing P.R. bond in the sum of Rs.25,000/- (Twenty Five Thousand only) with one or two local solvent sureties in the like amount, in connection with Crime No. 238 of 2025 dated 25.04.2025 registered with Shivajinagar Police Station, District - Beed for the offences punishable under section 64(2), 64(2)(i), 64(2)(k) of the Bharatiya Nyaya Sanhita, 2023, on the following conditions :-

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

8. 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/