



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

BAIL APPLICATION NO. 2291 OF 2025

ASHISH SADASHIV GANGADHARE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. D. R. Kale
APP for Respondent No.1 : Mr. S. G. Sangale
Advocate for Respondent No.2 : Mr. Amol A. Pawar

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CORAM : SACHIN S. DESHMUKH, J.

DATE : 15-12-2025

PER COURT:-

1. The applicant is seeking bail in Crime No.0247 of 2025 dated 04.07.2025, registered with Ramanand Police Station, Taluka and District Jalgaon, for the offence punishable under Sections 96, 64, 64(2)(m), 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 4, 8 and 10 of the Protection of Children From Sexual Offences Act, 2012. In relation to said crime, the applicant is arrested on 06.07.2025 and the chargesheet is filed on 30.08.2025.

2. The case of the prosecution is that in January 2025, Meena Borse and Manisha Jain coerced the informant into a human trafficking racket raising allegations of theft and demanding Rs.40,000/- under threat of initiation of the criminal prosecution. Exploiting the informant's financial vulnerability, the accused persons took her to Kolhapur on 03.02.2025 and performed her

"fake marriage" with the applicant (accused No.7) after accepting Rs.2,00,000/- from the groom's family.

3. The informant was subsequently forced to maintain physical relations with the applicant under continued threats of a false first information report and extorted gold ornaments of the informant. Upon discovering the informant was pregnant in April 2025, the accused persons forcibly took her to a hospital in May 2025 and terminated her pregnancy against her with following which the informant escaped and lodged the present report.

4. Learned counsel for the applicant submits that the allegations in the FIR are concocted, baseless, and a result of an afterthought, aimed at false implication and an abuse of the process of law. It is contended that the applicant is, in fact, a victim who was defrauded of money and ornaments through a sham marriage, for which the applicant has already lodged a separate FIR against the complainant and co-accused.

5. It is further submitted that the complainant is a mature woman age of understanding who voluntarily accompanied with the applicant as husband and wife, and the present allegations are part of strategy to flee after extracting financial gains. Since the investigation is complete, the chargesheet has been filed, and recoveries have been effected, the applicant's continued incarceration is no longer warranted. The applicant, therefore, prays for the grant of bail.

6. The learned A.P.P. for respondent No.1 and the learned counsel for respondent No.2 vehemently opposes the application and submits that accused No.1 to 6 are an active member of a criminal syndicate specializing in solemnizing fake marriages for financial gain. It is contended that the applicant/accused No.7 entered into a marriage with the victim and sexually exploited, despite the victim being a minor.

7. The prosecution further submits that the applicant subjected the victim to repeated physical relations, resulting in her pregnancy, which highlights the gravity and serious nature of the offense. It is expressed that since the applicant is a resident of Kolhapur, there is a reasonable apprehension that, if released on bail, there is fleeing risk or tamper with evidence by pressurizing the victim and witnesses. Hence, prayed for the rejection of the bail application.

8. Having heard both sides and perused the papers, the investigation is complete and the chargesheet has already been filed. The record indicates a complexity of claims, including a cross-complaint by the applicant alleging that the applicant was the one defrauded by a marriage syndicate. Whether the physical relations were consensual or coerced, is a matter of trial. Since the applicant has been in custody, the trial may take time to conclude, and the evidence already documented in the chargesheet. As such, the applicant's further incarceration is not

warranted.

9. Considering the facts and circumstances afore-stated, and the applicant has no criminal antecedents, However, the apprehension regarding tampering with the prosecution witnesses can be adequately addressed by imposing suitable conditions. Hence, the following order :-

O R D E R

- (i) Bail Application is allowed.
- (ii) Applicant - Ashish Sadashiv Gangadhare, be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of the like amount in the above crime, on the conditions that;
 - (a) The applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
 - (b) The applicant shall attend the trial on each and every date unless exempted by the trial Court.
 - (c) The applicant shall submit his Aadhar and Pan Card to the Investigation Officer and detailed addresses and phone numbers of applicant and two of the near relatives.
 - (d) In case of breach of any of the conditions by the applicant, it is open for the Prosecution to move this Court seeking cancellation of bail.
- (iii) Needless to state that the observations rendered herein are to the extent of this application and the trial court shall not be influenced by the same.

[SACHIN S. DESHMUKH, J.]