



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

955 BAIL APPLICATION NO. 655 OF 2025

TAUFIK JILANI SHAIKH

VERSUS

THE STATE OF MAHARASHTRA

...

Advocate for Applicant : Mr.S.B.Choudhari

APP for Respondent-State : Mrs.A.S.Mantri

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CORAM : ARUN R. PEDNEKER, J.

DATE : 11.06.2025

P.C. :

1] Heard learned counsel for the applicant and the learned APP for the respondent-State.

2] The applicant is seeking bail as he is arrested on 19.01.2025 in connection with Crime No.0018/2025, registered with Jamkhed Police Station, Taluka Jamkhed, District Ahmednagar, for the offences punishable under sections 64 (2) (m), 87 and 351 (2) of the Bharatiya Nyaya Sanhita, 2023.

3] It is the prosecution case that the victim is married. Her husband is serving in Boarder Security Force in State of Gujrath. They have a son of 7 years and a daughter of 4 years. The victim along with her son and daughter is residing in a rental house since 5 years. The

victim got acquainted with the accused through one Aditya Bhole, who is her neighbour. Aditya Bhole provided her mobile number to the applicant. Therefore, the victim and applicant developed friendship and were talking on phone. The victim specifically narrated that on 11.01.2025, at about 11.45 p.m. the applicant had been to her house and demanded physical relation with her. Thereafter, again on 15.01.2025, the applicant had been to her house and at that time the victim told the applicant that there is birthday of her daughter on 17.01.2025 and her husband is coming for the birthday celebration, as such, the victim instructed the applicant not to visit her house. Thereafter, the applicant told her that they should ran away and perform marriage. It is further stated that if the informant does not marry the applicant, he will show her photographs to her husband showing physical relations of the applicant with her. As such, on 16.01.2025 the informant left her house along with her daughter and thereafter the applicant and victim went to Pune. They stayed at Pune in the house of a friend of the applicant and the applicant had maintained physical relations with the informant against her will. Thereafter, on 17.01.2025, they travelled from Mumbai to Pune and they stayed at Mumbai in the house of the friend of the applicant. On 18.01.2025, the Police of Jamkhed Police Station came there and informed her that her husband has registered a missing complaint.

4] The learned counsel for the applicant submits that the relation between the applicant and the informant were consensual and that till the conclusion of the trial, the applicant would not enter the area of concerned police station except as and when called by the concerned Police Station.

5] The investigation in the matter is complete and the charge sheet is filed. *Prima facie* on perusal of the statement of the informant, it cannot be said that the relation between the applicant and the victim were non-consensual. The applicant has also contended that the victim and the applicant were in relationship since last 6 months. Considering the said fact, there is possibility of consensual relation between the applicant and victim. In view of the above, the application is allowed in the following terms :

a] The applicant shall be released on bail in connection with Crime No.0018/2025, registered with Jamkhed Police Station, Taluka Jamkhed, District Ahmednagar, for the offences punishable under sections 64 (2) (m), 87 and 351 (2) of the Bharatiya Nyaya Sanhita, 2023, on furnishing PR bond of Rs.20,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

b] The applicant shall not enter the jurisdiction of concerned Police Station during pendency of the trial.

c] The applicant, upon being released on bail, shall not contact the informant, in any manner whatsoever, during the pendency of the trial.

d] The applicant shall co-operate with the trial Court and he shall attend each and every date, unless exempted by the trial Court.

e] The applicant shall not tamper with the evidence of the prosecution and he shall not influence the informant, witnesses and other persons concerned with the case.

f] The applicant, upon being released on bail, shall place on record before the trial Court the details of his Contact Number and residential address with updates in case of any change.

6] Needless to say, in case of violation of any of the aforesaid conditions, the bail granted to the applicant shall be liable to be cancelled. It is also clarified that the observations made in this order are limited to the disposal of the present bail application. The concerned Court shall proceed further in the matter without being influenced by the observations made hereinabove.

7] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

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