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

941 ANTICIPATORY BAIL APPLICATION NO. 848 OF 2025

Amol Baban Kedar ..Applicant

VERSUS

The State of Maharashtra And Another ..Respondents

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Shri. Ravindra V. Gore, Advocate for the Applicant
Shri. B. B. Bhise, APP for the Respondent – State.
Shri. Subhash M. Shejul, Advocate for Respondent No.2 (Appointed through legal aid)
Ms. F. M. Kulkarni, Advocate for Respondent No.2

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CORAM : NEERAJ P. DHOTE, J.
Dated : SEPTEMBER 18, 2025

PER COURT :-

. The Applicant is apprehending arrest in connection with Crime No.0004/2025 registered with Paithan Police Station, Dist. Chhatrapati Sambhajinagar (Rural) for the offence punishable under Sections 126(2), 137(2), 3(5), 351(2), 351(3), 352, 74, 76 of the Bharatiya Nyaya Sanhita, 2023 (for short, 'BNS') and Sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012 (for short, 'POCSO') and therefore, this Application for Pre-arrest Bail under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short, 'BNSS).

2. Heard the learned Advocate for the Applicant. Perused the papers on record.

3. It is the case of the Prosecution that, on 08.01.2025 around 10 a.m. when the Informant along with her Husband and minor Daughter, aged 10 Years and 3 Months, were traveling in one Four Wheeler for going towards Aashti village, the Applicant and Co-Accused came across their four wheeler on the motorbike. Quarrel took place between the Accused persons and the Husband of the Informant. The Accused threatened them with dire consequences, if Daughter of the Accused No.1 - Ramdas was not taken to matrimonial house. The Informant and her Husband got frightened and started to run. The Accused persons made the minor Daughter to sit on the Motorcycle and took the Motorcycle for 1 (one) kilometer and dropped the minor on the road. In the incident, the frock of the minor got torn and she was frightened. The incident was reported to the Police on 09.01.2025. On 11.01.2025 the Statement of the child was recorded, wherein she stated that the Accused No. 1 – Ramdas torn her frock and touched her.

4. The parties are related to each other. There is one previous Crime bearing No. 0381/2024 registered with the same Police Station on the Report lodged by the Daughter of the Accused No.1 against the Maternal Uncle of the Minor Girl for the offences punishable under Sections 64(2)(i), 64(2)(m), 65(1), 137(2) of the BNS and Section 4 and 6 of the POCSO. This shows that the relation between the parties are not cordial. The role attributed to the Applicant is that, he was driving the Motorcycle on which the Child was taken for some distance.

Considering the role attributed to the Applicant, in my view, case for exercise of discretion in favour of the Applicant is made out. Hence, the following order.

ORDER

i) In the event of arrest of the Applicant, namely, Amol Baban Kedar, in connection with Crime No.0004/2025 registered with Paithan Police Station, Dist. Chhatrapati Sambhajinagar (Rural) for the offence punishable under Sections 126(2), 137(2), 3(5), 351(2), 351(3), 352, 74, 76 of the BNS and Sections 8 and 12 of the POCSO, he be released on bail on executing P.B. of Rs.15,000/- (Rupees Fifteen Thousand) with one surety in the like amount.

ii) He shall attend the concerned Police Station as and when required.

iii) He shall not tamper with the Prosecution evidence in any manner.

iv) Issue notice to the Respondents, returnable on 03.10.2025. The learned A.P.P. waives service of notice for the Respondent No.1 – State.

(NEERAJ P. DHOTE, J.)

GGP

Signed by: Gajanan G. Punde
Designation: PA To Honourable Judge
Date: 18/09/2025 19:33:10