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

926 ANTICIPATORY BAIL APPLICATION NO. 1358 OF 2025

Navnath Bhausahab Shinde

VERSUS

The State Of Maharashtra

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Mr P. R. Nangre, Advocate for Applicant.

Mr A. M. Phule, APP for respondent/State.

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CORAM : ADVAIT M. SETHNA, J.

DATE : 05 AUGUST 2025

P. C. :

1. Heard the learned Advocate Mr Nangre for the Applicant and the learned APP Mr Phule for Respondent/State.

2. This Application is listed for the first time today.

3. **Issue Notice** to the Respondent, returnable on **26 August 2025**. The learned APP Mr Goyanka waives service of notice on behalf of Respondent/State.

4. The Application is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, as the Applicant apprehends arrest. The proceedings relate to Crime No.0314/2024.

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The First Information Report (“FIR”) has been lodged on 22 December 2024 at 15:03 hours registered by the Ambhora Police Station, District Beed. The occurrence of the offence is shown in between 15 December 2024 to 20 December 2024. The offences alleged are under Sections 3(5), 318(4) of the Bharatiya Nyaya Sanhita, 2023. The informant is one Sharad Anil Dorge, aged 27 years.

5. With the assistance of the learned Advocates for the parties, I have perused the FIR and the record available with the Court.

6. As noted in the Fir, it appears that the Informant lodged complaint alleging that, on 15 December 2024, at about 06:00 a.m., one Vitthal Deokar asked the Informant that there is a proposal of a girl for the marriage at Parbhani for which he will have to pay Rs.5,00,000/-. There is scarcity of good girls for marriage in their society and therefore, the Informant assured him to pay Rs.3,00,000/-. Then, one Vitthal told him that he will show girl today. He obtained Rs.50,000/- in cash from Informant. Then he told that he is going to show girl to him by calling him at Ahilyanagar. Thereafter, the Informant and Vitthal went to Ahilyanagar. The Informant given his positive response after seeing the said girl. He found the age of that

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girl is 19 years. Immediately, they performed marriage. One Maternal aunt as stated in the FIR, has taken Rs.1,50,000/- from the Informant and later she taken remaining amount also. Thereafter, the girl cohabited with the Informant from 17 December 2024 to 19 December 2024 after which she refused to cohabit with the Informant. Thus, the Informant asked her to refund the amount of Rs.3,00,000/-. Then the said maternal aunt threatened the informant with lodging complaint against him. In such situation, the complaint is lodged and the FIR is registered.

7. A bare perusal of the FIR, it appears that the said girl whose marriage took place was of 19 years as per the statement of the Informant recorded in the FIR. It appears that the Trial Court while rejecting the bail of the Applicant vide its order dated 18 July 2025 has recorded that the girl was a minor. Clearly there are inconsistencies as observed from the FIR. The role of the present Applicant from a perusal of the FIR appears to be limited to the extent of showing the girl for the purposes of marriage as he was engaged in marriage broking/ consulting business. Apart from this, there is no other role ascribed to this Applicant in this FIR. As far as Section 318(4) of the Bharatiya Nyaya Sanhita is concerned, bare perusal of the provisions

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would *prima facie* indicate that there is no dishonest inducement and/or delivery of property to attract said provisions, qua this Applicant.

8. Thus, in my view, considering the factual matrix as noted above, *prima facie*, I find that the Applicant deserves some protection at this stage. It is stated that the Applicant does not have any criminal antecedents.

In view of the above, I pass the following order:

O R D E R

- (i) Until adjourned date of hearing, in the event of arrest of the Applicant Navnath Bhausahab Shinde in connection with C.R. No.0314/2024 registered with Ambhora Police Station, District Beed, for the offences punishable under Sections 3(5), 318(4) of the Bharatiya Nyaya Sanhita, 2023, he is directed to be released on bail on furnishing PR bond in the sum of Rs. 30,000/- (Rupees Thirty Thousand Only) with one or more sureties in the like amount.
- (ii) The Applicant shall attend the concerned Police Station on every Monday at 11.30 am, until the further orders and shall cooperate with the investigation.
- (iii) The Applicant shall furnish details of residential address and other contact details such as the 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.

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- (iv) The Applicant shall not leave the jurisdiction of the competent Court without prior permission, until further orders.
- (v) He shall not contact and/or influence the witness/es and/or tamper with the evidence in any manner whatsoever.

9. List the Application for further consideration/hearing on **26 August 2025.**

10. The protection granted today in favour of the Applicant shall continue till the adjourned date of hearing.

[ADVAIT M. SETHNA, J.]

sjk