

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO.936 OF 2025

Firoz Ahmed Taufiq Ahmed Ansari	...Applicant
<i>Versus</i>	
State of Maharashtra and Anr.	...Respondents

Mr. Ashish Bhanudas Jagtap a/w Bhanudas Jagtap, *for the Applicant.*

Mr. Yogesh Y. Dabke, *APP for the Respondent No.1 - State.*

Mr. Yash Pulekar, *appointed Advocate for Orig. Complainant / Respondent No.2 through legal aid.*

PSI – Gorad, Malvani Police Station, present.

CORAM DR. NEELA GOKHALE, J.
DATED: 17TH NOVEMBER 2025

PC:-

1. By this Application, the Applicant seeks his enlargement on bail in connection with C.R.No.512 of 2024 dated 10th April, 2024, registered with the Malvani Police Station, for the offences punishable under Sections 4, 6, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012 ('POCSO') and under Sections 376 and 376(2)(n) of the Indian Penal Code, 1860 ('IPC').

2. In all, there are three FIRs relating to the same incident, registered on the complaint made by the First Informant against this Applicant.

3. The facts of the case, as discerned from the FIR is that the victim, now 17 and half years of age, was 15 years old, while the Applicant, aged 19 at the time of the incident, It appears that they were in a relationship. They had sexual relationship with each other for a period of one and half year. However, it is the allegation of the victim that the Applicant had promised to marry her and it was on that assurance that she consented to the relationship. Thereafter, the Applicant stopped meeting her and the Applicant realized that she was duped. She found herself pregnant. In view of the fact that the Applicant retracted on his promise to marry her that, the she filed a complaint and consequently the FIR came to be registered. The Applicant was arrested on 23rd February, 2024.

4. The Applicant made an Application seeking bail before the Special Judge, POCSO, Borivali Division, Dindoshi,

Mumbai, however, by order dated 2nd August, 2024, the said Application was rejected. Hence, the Applicant is before this Court for the relief as prayed.

5. At the very outset, Mr. Dabke, learned APP, representing the State, has placed on record the statement recorded under Section 164 of the Cr.PC. A plain reading of the said statement gives an impression that the relationship between the parties was consensual. However, since the Applicant reneged on his promise of marrying her and started avoiding her that the victim and her family members filed present FIR. It also appears from reading of three FIRs relating to the same incident, that the victim gave a different name as the offender, instead of naming the Applicant herein. However, it was only 20th February, 2024, that by a supplementary statement given to the Police, she gave an explanation that being afraid of the Applicant, she named the offender as Lucky More instead of Firoz Ahmed Taufiq Ahmed Ansari i.e. the present Applicant. Pertinent to note is that the

said supplementary statement is not signed by her, but signed by her cousin. The statement of the Applicant to the medical doctor also indicates that victim accepted the relationship as consensual. No doubt, the victim was 15 years old and a minor, hence invoking the ingredients of POCSO Act. However, considering that the victim named a different person as her offender and also that the Applicant is in custody since 23rd February, 2024, i.e. for more than one and half year, as well as the fact the Applicant is also presently merely 21 years of age, it being undesirable for the Applicant also to remain in the company of hardened criminals as an under trial, I am inclined to enlarge the Applicant on bail. Pertinent to note is also that yet even the charges are not framed. In these circumstances, I am inclined to release the Applicant on bail. It is accordingly ordered as under:-

ORDER

- i) The Applicant be enlarged on bail, on executing PR Bond in the sum of Rs.50,000/ with one or two local sureties in the like amount;

- ii) The Applicant shall attend the Trial Court concerned on each and every date unless exempted by the orders of the Trial Court concerned;
- iii) The Applicant shall not enter the jurisdiction of the Malad Police Station, till the conclusion of the trial;
- iv) The Applicant shall also attend the Police Station concerned once in a month between 11:00 a.m. to 02:00 p.m.;
- v) If the Applicant has not deposited his passport, if any, the Applicant shall deposit the same with the Police Station concerned;
- vi) The Applicant shall not leave India, without the permission of the Trial Court;
- vii) The Applicant shall not tamper or attempt to influence or contact the complainant, witnesses or any person concerned with the case;
- viii) The Applicant shall inform his latest place of residence and contact number immediately after

being released and / or change of residence or mobile details, if any, from time to time to the Court seized of the matter and to the Investigating Officer of the Police Station concerned;

ix) The Applicant to co-operate with the conduct of the trial;

x) Any infraction of the aforesaid conditions shall entail cancellation of bail.

6. Application is allowed in the above terms and is accordingly disposed of.

7. It is made clear that the observations made herein are *prima facie* and are confined to this Application and the learned Trial Judge to decide the case on its own merits, uninfluenced by the observations made herein.

(DR. NEELA GOKHALE, J)