

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 733 OF 2025

Ketan Ravindra Patait ...Applicant
Versus
State Of Maharashtra And Anr ...Respondents

Mr. Nikhil G. Hire, a/w. Mr. Aadesh Konde Deshmukh, Advocate for the Applicant.

Ms. Supriya Kak, APP for the State.

Mr. S. D. Patil, PSI Malegaon Camp Police Station present.

CORAM : RAJESH S. PATIL, J.

DATED : 19 MARCH 2025

PC.:

1. This anticipatory bail application is for pre-arrest bail in connection with C.R. No.0021/2025 registered with Malegaon Camp Police Station for the offences punishable under Sections 75 (1) (iv), 189, 190, 191 (1), 191(2), 115 (2) of the Bharatiya Nyaya Sanhita as well as Section 11 (1) and 12 of the POCSO Act
2. The learned APP submits that in the present proceedings, the charge sheet has filed yesterday. Therefore, the present anticipatory bail application has become infructuous.
3. On behalf of the applicant, it is submitted that a fight took place

between two groups, and an FIR was lodged from the applicant's side prior in time. Thereafter, the present crime was registered. The present FIR is a counterblast to the FIR filed by the applicant's side. It is further submitted that since the investigation has been completed and the charge sheet has been filed, there is no need to arrest the applicant. The applicant is a student who has completed his diploma in Pharmacy and is in the process of securing admission to a degree course in Pharmacy. Out of the eight accused, six have been granted anticipatory bail by the Sessions Court. Furthermore, as per the contents of the FIR, the applicant has not made the alleged sexual remarks mentioned in the complaint.

4. The present applicant is a student, and the incident involving the fight between the two groups took place. The present FIR was registered three hours after the FIR from the applicant's side. Since the charge sheet has already been filed, it would suffice if the applicant is granted protection. Additionally, there are no prior criminal antecedents against the present applicant.

5. In such a situation, according to me, a case is made out for granting Anticipatory Bail Application.

ORDER

(a) The anticipatory bail application is allowed

(b) In the event of arrest of the Applicant C.R. No.0021 of 2025, dated 20 January 2025, registered with Malegaon Camp Police Station, District Nashik (Rural), under Sections 75 (1) (iv), 189, 190, 191 (1), 191(2), 115 (2) of the Bharatiya Nyaya Sanhita as well as Section 11 (1) and 12 of the POCSO Act, the Applicant shall be released on bail furnishing P.R. bond to the extent of Rs.30,000/- with one or more sureties of the like amount.

(c) The Applicant shall co-operate with the investigation and attend the investigating officer of the concerned police station on 24 March 2025 and 25 March 2025 between 11.00 a.m to 1.00 p.m., thereafter as and when called.

(d) The Applicant shall not directly or indirectly make any inducement, threat or promise to victim and to any person acquainted with facts of case so as to dissuade him/her from disclosing the facts to Court or any Police Officer and should not tamper with evidence.

(e) The Applicant shall furnish his contact number and residential address to the investigating officer and shall keep him updated, in case there is any change.

(f) The Applicant and his surety shall provide their respective mobile numbers, e-mail address and documents pertaining to the place of residence.

6. In view of the above, the present Anticipatory Bail Application is disposed of.

(RAJESH S. PATIL, J.)