

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2350 OF 2025

Ali Hasan Nabi Khan	...Applicant
<i>Versus</i>	
State of Maharashtra & Anr.	...Respondents

Mr. Rameshwar Gite, a/w Ms. Aditi Thakare, for Applicant.
Mr. S.A. Karmakar, APP for the State.
Mr. Harshwardhan Pawar, for Respondent No.2.

CORAM: MADHAV J. JAMDAR, J.
DATED : 8th December 2025

P.C.:

1. Heard Mr. Gite, learned Counsel for the Applicant, Mr. Harshwardhan Pawar, learned Counsel for Respondent No.2 and Mr. Karmakar, learned APP for the State.

2. By this application filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (“**BNSS**”), the Applicant is seeking pre-arrest bail in connection with C.R. No.181 of 2025 registered with Satpur Police Station, Nashik, for the offences punishable under Sections 74, 78, 352, 351(2), 351(3) of the Bharatiya Nyaya Sanhita, 2023 (“**BNS**”) and under Sections 8 and 12 of the Protection of Children from Sexual Offences Act-2012 (“**POCSO**”).

3. The prosecution case is set out in paragraph No. 3 of the Order dated 25th July 2025 passed by the learned Additional Sessions Judge-6, Nashik, which reads as under :

“3. Complainant is 17 years 11 months old girl studying. On 13 June 2025 on 7.45 p.m. at Satpur Colony, old post office she was alone walking when applicant 19 years boy known to her came. She had lodged complaint against him in December 2024 for outraging her modesty and he was sent to jail. Hence, on 13 June 2025 he caught her hand, showed her weapon knife, threatened to break hand and legs of her parents and throw acid on her. Her father is security guard in the company of MIDC. After college she goes at 4 to 7 p.m. for account classes. The accused is following her, he was her classmate. He has grudge on her for lodging complaint against him in the year 2022.”

4. Mr. Gite, learned Counsel for the Applicant, on instructions of the Applicant submits that the Applicant will completely co-operate with the investigation and will stay outside District-Nashik.

5. On the other hand, Mr. Karmakar, learned APP and Mr. Pawar, learned Counsel appointed to represent interest of the Respondent No.2 strongly opposes the Application. Both of them submit that the offence is very serious and therefore the custodial interrogation is necessary.

6. The Applicant is a student of 19 years. The maximum punishment for the offence is 5 years. Accordingly by imposing certain conditions, the Anticipatory Bail Application can be granted.

7. Mr. Gite, learned Counsel for the Applicant on instructions states that the Applicant will not stay in District-Nashik and will stay at his parental aunt's residence at Ms. Nahida Khatun, Stall No. 1, GRD Plot Chang Insaw Mall, Khara Tank Road, Off. Chimana Butcher Street, Mandvi, Mumbai and he will report to the Paydhuni Police Station, Mumbai.

8. Accordingly, the Applicant can be granted pre-arrest bail. Hence, following Order is passed:

ORDER

- (i) In the event of arrest, the Applicant - Ali Hasan Nabi Khan be released on bail in C.R. No.181 of 2025 registered with Satpur Police Station, Nashik, on executing P.R. bond of Rs.30,000/- and furnishing one or two solvent sureties in the like amount.

- (ii) The Applicant shall attend the concerned Police Station as and when called by the Police and shall co-operate with the investigation.
- (iii) The Applicant shall not enter Nashik District till completion of the trial except when called by the Investigating Officer and for attending the trial.
- (iv) The Applicant shall attend the Paydhuni Police Station, Mumbai once a week i.e. on every Sunday between 11.00 a.m. to 2.00 p.m. till conclusion of the trial. The Police Inspector of Paydhuni Police Station, Mumbai shall communicate the details of the same to the Investigating officer.
- (v) The Applicant shall furnish his cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.
- (vi) The Applicant shall not directly or indirectly make any inducement, threat, or promise to any person

acquainted with the facts of the case so as to dissuade such a person from disclosing the facts to the Court or to any Police personnel.

(vii) The Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant, or any witness, in any manner.

(viii) The Applicant shall not leave India without prior permission of the Court.

9. The Anticipatory Bail Application is allowed and disposed of accordingly.

BHALCHANDRA
GOPAL
DUSANE

(MADHAV J. JAMDAR, J.)

Digitally signed by
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