

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2825 OF 2025

Zoheb Gaus Saudhakar	...Applicant
<i>Versus</i>	
The State of Maharashtra & Anr.	...Respondents

Mr. Balasaheb Deshmukh, for the Applicant.
Mr. S. M. Mangaonkar, APP, for the Respondent No.1-State.
Mr. Om V. Tapkir, for the Respondent No.2.
Mr. Lamkhade, API, attached to Yerwada Police Station, Pune, present.

CORAM: MADHAV J. JAMDAR, J.
DATED : 19th NOVEMBER 2025

PC:-

1. Heard Mr. Deshmukh, learned Counsel appearing for the Applicant, Mr. Mangaonkar, learned APP appearing for the Respondent No.1-State and Mr. Tapkir, learned Counsel appearing for the Respondent No.2.

2. This application is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 seeking pre-arrest bail in connection with C.R. No.547 of 2025 registered with Yerwada Police Station, Pune, for the offences punishable under Sections

118(1), 118(2), 74, 115(2), 351(2), 351(3), 304 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. The prosecution case is set out in paragraph No.2 of the order dated 1st October 2025 passed by the learned Additional Sessions Judge, Pune in Criminal Bail Application No.5908 of 2025, which reads as under:

“The incident happened on 08/08/2025 at bungalow no.15, Siddhartha Estate, Kalyani Nagar, Pune at about 10:00 pm. According to the applicant Ira Zoheb Saudagar on that day her husband Zoheb Saudagar had called her and Nilopher to his house. So, at about 10:00 pm the informant and Nilopher on their two wheeler went to the bungalow of their husband Zoheb Saudagar. When they reached there Nilopher showed informant the lady named Sara Kamran with whom her husband had love affair and was residing on the first floor. At that time, Nilopher said to Sara that due to her, the married life of informant and Nilopher was spoiled/disturbed. At that time, they called Sara on the ground floor due to which Zoheb became angry and showed a middle finger to Nilopher and provoked her by saying that "आ तेरेकू बतेते हू मै ". At that time, when the Nilopher entered the bungalow by opening the gate Zoheb assaulted her by a baseball bat on her head, hand and leg and on her back due to which the blood started oozing from the head of Nilopher. When informant Ira went forward to rescue Nilopher at that time Zoheb assaulted Ira on her head, face hands and legs by a wooden stump at the same time, the father-in-law of informant named Gausmohammad Saudagar had caught hold

informant from backside and had intentionally pressed her chest which amounted to outrage her modesty. The informant tried to go away but her father-in-law had tightly caught hold her. The mother-in-law of informant also assaulted Nilopher and informant by hands and she was provoking Zoheb to assault her. Thereafter, the Zoheb threatened them to kill and snatched the mobile from the hands of informant. At that time the cousin brother of informant named Wasim and his sons came there, rescued them and took them to Sahyadri Hospital, Yerwada through their four wheeler.”

4. It is the submission of Mr. Deshmukh, learned Counsel appearing for the Applicant that the First Informant is the ex-wife of the Applicant and the case under the Protection of Women from Domestic Violence Act, 2005 was earlier filed by the First Informant and the same has been subsequently withdrawn. He further submits that the First Informant came in the society where the Applicant is staying and abused the Applicant. He submits that the Applicant is not involved in the crime. He submits that there are total three accused. The Applicant is accused No.1 and the accused Nos.2 and 3 are the parents and they have been already granted pre-arrest bail by the learned Additional Sessions Judge, Pune. He submits that there are only antecedents against the Applicant, wherein the Respondent No.2 is the First Informant. He

submits that except those two antecedents, there is no other antecedent against the Applicant. He submits that the Applicant has co-operated with the investigation.

5. On the other hand, Mr. Mangaonkar, learned APP appearing for the Respondent No.1-State and Mr. Tapkir, learned Counsel appearing for the Respondent No.2 strongly oppose the Anticipatory Bail Application. Both of them submit that the First Informant is injured in the incident and therefore, the pre-arrest bail be not granted.

6. Perusal of the record shows that the injuries are simple in nature. The First Informant has visited the society where the Applicant is staying when the subject incident took place. The First Informant is the ex-wife of the Applicant. The Applicant has no other antecedents, except filed by the First Informant. As the Applicant has undertaken to co-operate with the investigation, the case is made out for grant of Anticipatory Bail. In view thereof, the following order is passed:

ORDER

(a) In the event of arrest of the Applicant-Zoheb Gaus

Saudhakar in connection with C.R. No.547 of 2025 registered with the Yerwada Police Station, Pune, the Applicant is directed to be released on bail on his furnishing P.R. Bond in the sum of Rs.25,000/- with one or two solvent sureties in the like amount.

- (b) The Applicant shall attend the Yerwada Police Station as and when called and shall co-operate with the investigation.
- (c) 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.
- (d) 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.
- (e) The Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.

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

7. The Anticipatory Bail Application is disposed of accordingly.

[MADHAV J. JAMDAR, J.]

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