



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (ABA) NO.54 OF 2025

Rahul Kailas Sonone

Vs.

State of Maharashtra, through Police Station Officer, Police Station,
Dhamangaon Badhe, District Buldhana and another

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. R. D. Karode, Counsel for the applicant.

Mr. Anant Ghogre, APP for non-applicant No.1/State.

Mr. Y. P. Bage, appointed Counsel for the non-applicant No.2.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 17/04/2025

1. Apprehending the arrest at the hands of police in connection with Crime No.401/2024 registered with Police Station Dhamangaon Badhe, Tah. Motala, District Buldhana for the offences punishable under Sections 64, 64(1), 64(2) (m), 77 and Section 351(2) of the Bharatiya Nyaya Sanhita, 2023, the applicant approached this Court for grant of pre-arrest bail.

2. Heard learned Counsel for the applicant, who submitted that the applicant is a driver of an auto rickshaw. There is a family relationship between the victim's family and the family of the present applicant. As per the allegation, the alleged incident took place prior to 10 to 12 months, and it was alleged the present applicant entered into the house

of the victim and obtained her photographs when she was taking bath. He submitted that only with the baseless allegation, the FIR is lodged against the applicant. As far as his custodial interrogation is concerned, the mobile phone is already produced before the investigating officer, therefore, his custodial interrogation is not required.

3. Learned APP and learned Counsel for the non-applicant No.2 - victim strongly opposed the said application on the ground that if the applicant is released on bail, he would tamper with the prosecution evidence. In view of that, the application deserves to be rejected.

4. On hearing both sides and on perusal of the recitals of the FIR and the investigation papers, the allegation against the present applicant that he obtained the photographs of the victim when she was taking bath. The mobile phone of the accused is already seized. Only apprehension raised by the learned Counsel for the non-applicant No.2 – victim that if he enters in the village, there is a possibility of dispute between both the parties. In view of that, the condition is to be imposed on the present applicant.

5. In view of the above discussion, I proceed to pass following order.

ORDER

- (i) The application is allowed.
- (ii) In the event of arrest, in connection with Crime No.401/2024 registered with Police Station Dhamangaon Badhe, Tah. Motala, District Buldhana for the offences punishable under Sections 64, 64(1), 64(2) (m), 77 and Section 351(2) of the Bharatiya Nyaya Sanhita, 2023, the applicant – **Rahul Kailas Sonone** shall be released on anticipatory bail on executing P.R. Bond in the sum of Rs.25,000/- with one solvent surety in the like amount.
- (iii) The applicant shall attend the concerned Police Station once in a week on Monday between 10.00 a.m. to 01.00 p.m. till filing of the charge-sheet and shall cooperate with the investigating agency.
- (iv) The applicant shall not enter into the vicinity of village Ubalkhed, Taluka Motala, till culmination of the trial.
- (v) The applicant shall furnish his detailed address along with address proof where he is intending to reside after he is released on bail.
- (vi) The applicant shall not induce, threat or promise any witnesses including the victim, who are acquainted with the facts of the present case either physically or through electronic media.

The application is disposed of.

(URMILA JOSHI-PHALKE, J.)