



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

CRIMINAL APPLICATION (ABA) NO.158 OF 2025

Nandkishor @ Keshav Sahebrao Hage

Vs.

State of Maharashtra, through Police Station Officer, Police Station,
Khamgaon (Gramin) 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. S. D. Chande, Counsel for the applicant.
Ms. Swati Kolhe, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 23/04/2025

1. Apprehending the arrest at the hands of police in connection with Crime No.318/2024 registered with Police Station Khamgaon Rural, District Buldhana for the offences punishable under Sections 87, 137(2), 319(1) of the Bharatiya Nyaya Sanhita, 2023 and Sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012, the applicant approached this Court for grant of pre-arrest bail.

2. Learned Counsel for the applicant submitted that the crime is registered on the basis of report lodged by the brother of the victim on the allegation that on 03.08.2024 victim left the house without informing anybody. She is abducted by the present applicant on false promise. On the basis of the said report, police have registered the crime.

3. Learned Counsel for the applicant submitted that the reply filed by the investigating agency before the Sessions Court shows that there was a love affair between the present applicant and the victim and the family members were opposing the said love affair, and therefore, she left the house and joined the company of the present applicant. Thus, considering the said submissions before the Sessions Court itself is sufficient to protect the present applicant by granting anticipatory bail.

4. Learned APP strongly opposed the application on the ground that the victim is below 18 years of age. Her consent is not relevant. In view of that, the application deserves to be rejected.

5. On hearing both the sides and on perusal of the investigation papers it reveals that out of a love affair, she joined the company of the accused. She is on the verge of attaining the majority. At present considering the statement of the victim before the investigating agency, the applicant has made out a case for grant of anticipatory bail. Accordingly, I proceed to pass the following order:

ORDER

(i) The application is allowed.

(ii) The interim protection granted to the present applicant by order dated 07.03.2025 is hereby confirmed on condition that the applicant shall attend the concerned Police Station once in a week i.e. on every Monday between 10.00 AM

and 1.00 PM, till filing of the charge-sheet and shall cooperate with the investigating agency.

(iii) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case, either personally or by way of electronic media.

The application is disposed of.

(URMILA JOSHI-PHALKE, J.)