



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (ABA) NO.373 OF 2025

(Mukhtar Ahmed Raza s/o Gulam Nabi Vs. The State of Maharashtra and anr.)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. S.S. Ali, Advocate for the applicant.
Mr. D.V. Chauhan, Public Prosecutor (Sr. Counsel) a/b Mr. N.B.
Jawade, APP for the State.
Mr. A. Ananthakrishnan, Advocate (appointed) for non-applicant
No.2.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- JULY 9, 2025.

Apprehending the arrest at the hands of police in connection with Crime No.280/2025 registered with Police Station Ramnagar, Chandrapur, District Chandrapur for the offence punishable under Sections 64, 115(2), 351(4) and 3(5) of the Bharatiya Nyaya Sanhita, 2023, the applicant approached this Court for grant of pre-arrest bail.

2. As per the allegation, accused Nos.2 and 3 had threatened to respondent No.2 not to divulge the wrong committed by accused No.1 to her parents. It is alleged that applicant No.1 subjected her for the forceful sexual assault by offering her a coffee by mixing some drug content in it. On the basis of the said report, police have registered the crime against the present applicant.

3. Learned Counsel for the applicant submitted that it was a consensual relationship between the

co-accused. As far as present applicant is concerned no specific role is attributed to him. He submitted that the applicant has not established any forcible physical relationship with the victim and only allegation against him is regarding extending the threat to the victim.

4. Learned Public Prosecutor strongly opposed the application on the ground that considering the nature of the allegation, the custodial interrogation is required.

5. Learned Counsel for the victim also endorsed the same contentions.

6. I have heard learned Counsel for both the sides. On perusal of the investigation papers it reveals that the allegation of forcible sexual intercourse is against the co-accused. As far as present applicant is concerned allegation is only to the extent of threatening. Now, he has cooperated with the investigating agency and also produced his mobile phone. In view of that, his custodial interrogation is not required. Accordingly, I proceed to pass the following order.

(i) The application is allowed.

(ii) In the event of the arrest, the applicant – Mukhtar Ahmed Raza s/o Gulam Nabi in connection with Crime No.280/2025 registered with Police Station Ramnagar, Chandrapur, District Chandrapur for the

offence punishable under Sections 64, 115(2), 351(4) and 3(5) of the Bharatiya Nyaya Sanhita, 2023, 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 as and when required for the investigation purpose on issuing the notice in advance of 7 days.

(iv) The applicant shall cooperate with the investigating agency and make himself available for interrogation.

(v) 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.

7. The contravention of any of the condition would lead to the cancellation of bail.

8. The application stands disposed of.

(URMILA JOSHI-PHALKE, J.)