



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

CRIMINAL APPLICATION (ABA) NO. 440 OF 2025

Sagar Krishna Mahanand

Vs.

State of Maharashtra, Through PSO, Police Station Hinganghat, Dist.
Wardha 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. M.P. Kariya, Counsel for the applicant.
Ms. Trupti Udeshi, APP for non-applicant No.1/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 10/07/2025

1. Apprehending the arrest at the hands of Police in connection with Crime No.739/2025 registered with Police Station Hinganghat, District Wardha for the offenses punishable under Sections 64(2)(m), 65(1), 351(2) of the Bhartiya Nyaya Sanhita, 2023 and Section 4 and 6 of the Protection of Children from Sexual Offences Act, 2012, the applicant approached to this Court for grant of per-arrest bail.

2. The crime is registered on the basis of report lodged by victim girl aged about 14 years on an allegation that the application who is her cousin was subjected her for forceful sexual assault on multiple occasions.

3. Heard Learned Counsel for the applicant, who submitted that the victim has left house and eloped, which is opposed by the present applicant

who is her cousin and, therefore, with the false and baseless allegations, this false FIR is lodged. He submitted that, the recitals of the FIR itself shows that improbable story is narrated by the victim. The father of the victim girl has also filed an affidavit that his daughter has lodged a false complaint and also narrated that victim has left the house, she was searched and as she was brought at home, this report came to be lodged.

4. Learned APP strongly opposed the said application and submitted that a well tendered aged girl and was subjected for the forceful sexual assault. In view of that the application deserves to be rejected.

5. On hearing both the sides and on perusal of the recitals of the FIR, the letter issued by the father of the victim and the affidavit sufficiently shows that the story narrated by the victim is only because she was eloped from the house and the present applicant restrained her from doing so. Therefore, he is implicated as an accused. The genuineness of the allegations can be ascertained at the time of trial. At this stage the medical examination of the present applicant is already carried out. He has co-operated with the investigating agency. In view of that the interim protection granted to the present applicant deserves to be confirmed. Accordingly, I pass proceed to pass the following order :-

O R D E R

- i.** The application is allowed.
 - ii.** Interim protection is granted to the present applicant by order dated 25.06.2025 is hereby confirmed on the condition that the applicant shall attend the concerned Police Station once in a week on every Monday between 10:00 a.m. to 01:00 p.m. and shall make himself available for investigation purpose till filing of the chargesheet.
 - iii.** The applicant shall not enter into the vicinity of Hinganghat, Dist. Wardha except attending the trial at Police Station Hinganghat, Dist. Wardha till further orders.
 - iv.** 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.
- 6.** The application is **disposed of**.

(URMILA JOSHI-PHALKE, J.)