



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

CRIMINAL APPLICATION (ABA) NO. 446 OF 2025

Anas Ahmad Khan s/o Yunus Khan

Vs.

State of Maharashtra, through Police Station Officer, Police Station City
Kotwali, Akola District Akola 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. A. M. Sharma, Counsel for the applicant.

Ms. M. A. Barabde, APP for non-applicant No.1/State.

Mr. P. S. Lingayat, appointed Counsel for the non-applicant No.2.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 15/07/2025

1. Apprehending the arrest at the hands of police in connection with Crime No.148/2025 registered with Police Station City Kotwali, Akola for the offence punishable under Sections 74, 296, 115(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023 and under Section 8 and 12 of the Protection of Children from Sexual Offences Act.

2. Heard learned Counsel for the applicant, who submitted that the crime is lodged on the basis of report lodged by the victim girl on an allegation that on 18.05.2025, when she had been to the market in one shop, at that time, she was subjected for the sexual harassment by the co-accused. On the basis of the said report, police have registered the crime against the co-accused. He submitted that

initially, the name of the present applicant was not mentioned in the FIR in a subsequent statement, she has attributed the role to the present applicant. As far as his custodial interrogation is concerned, which is not required. In view of that, he be protected by granting anticipatory bail.

3. Learned APP and learned appointed Counsel for non-applicant No.2 – victim strongly opposed the said application on the ground that in a supplementary statement dated 24.05.2025, the victim has specifically assigned the role to the present applicant to the extent of assault by him to the sister of the victim. In view of that, the application deserves to be rejected.

4. On hearing both sides and on perusal of the investigation papers and supplementary statement of the victim, which shows that the role attributed to the present applicant that he has assaulted by hands to the sister of the victim. The medical certificate as to the assault on the sister of the victim is not collected during the investigation. Except the statement, there is nothing on record. Moreover, the custodial interrogation of the present applicant is not required, considering the allegation levelled against him. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass following order.

ORDER

- (i) The application is allowed.
- (ii) The applicant **Anas Ahmad Khan s/o Yunus Khan** shall be released on anticipatory bail in the event of his arrest, in connection with Crime No.148/2025 registered with Police Station City Kotwali, Akola for the offence punishable under Sections 74, 296, 115(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023 and under Section 8 and 12 of the Protection of Children from Sexual Offences Act, on executing PR 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 1.00 p.m. and shall cooperate with the investigating agency, till filing of the charge-sheet.
- (iv) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.

The application is disposed of.

(URMILA JOSHI-PHALKE, J.)