



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

CRIMINAL APPLICATION (ABA) NO. 468 OF 2025

(Akash Prakash Bhagat Vs. State of Maharashtra & Anr.)

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. A.S. Shukla, Advocate for the Applicant.
Mr. A.M. Ghogare, APP for the Non-applicant No.1/State.
Mr. V.V. Sharma, Advocate (Appointed) for the Non-applicant No.2.

CORAM: URMILA JOSHI-PHALKE, J.

DATED : 23rd JULY, 2025

1. Apprehending the arrest at the hands of Police in connection with Crime No.130/2025 registered with Police Station Ansing, District Washm for the offences punishable under Sections 74, 75(1)(i), 351(2), 352, 189(2), 190, 191(2) and 125 of the Bharatiya Nyaya Sanhita, 2023 and Sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012 (POCSO Act), the Applicant approached to this Court for grant of pre arrest bail.

2. The crime is registered on the basis of the report lodged by one Ravi Narayan Ingole on an allegation that on 14.05.2025 at around 08.30 p.m., when the Victim went to purchase grocery, at that time the Applicant had given a chit of his mobile number to her, caught hold her hand and also give two currency notes of rupees five hundred to her but she refused. It is further alleged that, he also expressed her that

he loved her and also threatened her that he will see her. On the basis of the said report, Police had registered the crime.

3. Learned Counsel for the Applicant, submitted that there was some dispute between the father of the Victim as well as the father of the present Applicant, which occurred during the procession of Dr. Babasaheb Ambedkar, and therefore, this false FIR has been lodged. He also invited my attention to the complaint filed by the father of the present Applicant. He further submitted that even accepting the allegation as it is, the custodial interrogation of the present Applicant is not required as nothing is to be seized as the allegation is only to the extent of only holding the hand of the Victim. In view of that, Applicant be protected by granting anticipatory bail.

4. Learned APP and learned Counsel for the Victim, strongly opposed for the same and considering the allegations levelled against the present Applicant that not only he hold the hand but he also expressed his feelings to her and also handed over the amount of Rs.500/- to her, shows his intention. In view of that, the prayer for grant of anticipatory bail deserves to be rejected.

5. On hearing both the sides and on perusal of the investigation papers, it reveals that, the dispute arose between the two families during the procession of Dr. Babasaheb Ambedkar. It further reveals that, both the parties have filed the complaint against each other and the allegation against the present Applicant is only to the extent of holding the hand

of Victim. Thus, considering the nature of the allegations, custodial interrogation of the present Applicant is not required. In view of that, the Application deserves to be allowed. Accordingly, I proceed to pass the following order:

ORDER

- i.** The Application is **allowed**.
- ii.** In the event of the arrest, the Applicant-Akash Prakash Bhagat in connection with Crime No.130/2025 registered with Police Station Ansing, District Washm for the offences punishable under Sections 74, 75(1)(i), 351(2), 352, 189(2), 190, 191(2) and 125 of the Bharatiya Nyaya Sanhita, 2023 and Sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012 (POCSO Act), 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 i.e. on every Sunday between 10.00 a.m. and 01.00 p.m. till filing of the charge-sheet and shall cooperate with the investigating agency.

- 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.
- v.** The Applicant shall not enter into the vicinity of Dhumka Village, District Washim till filing of the charge-sheet.
- vi.** Fees of the learned Appointed Counsel for the Victim be quantified as per Rules.

(URMILA JOSHI-PHALKE, J.)