



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

9 ANTICIPATORY BAIL APPLICATION NO. 377 OF 2024

Prashant Limbraj Rathod

....Applicant

VERSUS

The State of Maharashtra & another

.....Respondents

Mr. Shritej Surve, Advocate for Applicant.

Mr. S. B. Narwade, APP for the State.

Mr. H. V. Tungar, Advocate for the Informant.

CORAM : R. M. JOSHI, J.

DATE : 8th JUNE, 2026.

PER COURT :

1. Applicant has preferred this application seeking anticipatory bail in connection with Crime No. 0220/2023, registered with Bhada Police Station, District Latur, for offences punishable under Sections 498-A, 377, 313, 323, 504, 506 read with Section 34 of the Indian Penal Code.

2. First Information Report is lodged by the wife of the applicant alleging that she was married to the applicant on 06.02.2022. She alleged against the applicant and others that they abused and assaulted her on account of demand of dowry. There is specific allegation against the present applicant with regard to causing

abortion of the informant by physically assaulting her on 03.06.2022. It is also alleged against him that he had extra marital relations with another woman. On the basis of these allegations, offence came to be registered against the applicant and others.

3. Learned counsel for the applicant submits that this is a case wherein applicant and the family members are falsely implicated. According to him, the First Information Report came to be quashed by this Court against the co-accused. It is his contention that there is delay in lodging of the report so also considering the fact that now the charge has already been framed by the Trial Court, custodial interrogation of the applicant is not necessary.

4. Learned APP and learned counsel for the informant opposed the application. It is their contention that a specific history was given by the informant to the Medical Officer on 14.10.2022 indicating that she was being assaulted by the present applicant and was subjected to unnatural sex.

5. There is no dispute about the fact that the investigation into the crime is completed long back and the charge-sheet was filed on

21.12.2023. Charge has been framed by the Trial Court. As far as custodial interrogation of the applicant is concerned, the prosecution was unable to show any reason therefor. Needless to say that applicant cannot be denied pre-arrest bail in case he makes out a case with regard to his custodial interrogation being not necessary. Applicant is a police personnel. He is not likely to flee from justice. Having regard to the time lapsed between grant of interim relief and decision of this application, this is a fit case for confirmation of the interim relief. Hence, application stands allowed. Interim relief stands confirmed.

(R. M. JOSHI, J.)

dyb