



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

946 BAIL APPLICATION NO. 2508 OF 2025

Navnath Goarkshnath BhawarApplicant

VERSUS

The State of Maharashtra & anotherRespondents

Mr. V. V. Deshmukh, Advocate for Applicant.

Mr. G. O. Wattamwar, APP for the State.

Mr. S. R. Andhale, Advocate for Respondent No. 2.

CORAM : SACHIN S. DESHMUKH, J.

DATE : 23rd JANUARY, 2026.

PER COURT :

1. Applicant seeks regular bail in connection with Crime No. 630/2025 registered with MIDC Police Station, Dist. Ahilyanagar, for the offences punishable under Section 64 of the Bharatiya Nyaya Sanhita, 2023.

2. The case of prosecution is that on 08.08.2025 at about 9.30 pm, when informant was outside of her house, Applicant came there, caught hold her hand, dragged her to the field forcibly committed sexual assault. When raised shouts, Applicant fled away. On the next day i.e. on 09.08.2025 informant narrated the incident to her husband and thereafter First Information Report came to be lodged.

3. Learned Counsel for the Applicant submits that it is a case of false implication. Applicant and the victim, who is a married woman, were in consensual relationship. The story of alleged incident narrated to the Medical Officer does not support the case of the prosecution. Furthermore, investigation in the crime is complete and charge-sheet is filed. Hence, prayed to release the Application on bail.

4. Per contra, learned APP vehemently opposed the application by submitting that the Applicant has indulged in serious crime. His involvement in the crime is apparent. An apprehension is also expressed that if the Applicant is released on bail, there is every possibility of tampering with the prosecution evidence. Hence, prayed to reject the application.

5. Upon hearing submissions of both sides and on perusal of the material on record, including charge-sheet, it is evident that the alleged incident has occurred on 08.08.2025 whereas First Information Report is registered on 10.08.2025. Furthermore, perusal of First Information Report indicates that the Applicant and the victim had acquaintance with each other. Nevertheless, Medical examination of the victim prima facie does not corroborate the case

put forth by the prosecution. Thus, prima facie, it appears to be a case of consensual relationship.

6. Investigation in the crime is complete for all intent and purpose. Charge-sheet is also filed. Hence, no fruitful purpose would be served by further incarcerating the Application. The apprehension expressed by learned APP can be taken care of by imposing stringent condition upon the Application. In that view of the matter, I am inclined to exercise discretion in favour of the Application.

7. Hence, the following order :-

ORDER

- (i) Application is allowed.
- (ii) Applicant Navnath Goarkshnath Bhawar, be released on bail, on furnishing P.R. bond in the sum of Rs. 50,000/- (Rs. Fifty Thousand) with one or two local solvent sureties, in the like amount, in connection with Crime No. 630/2025 registered with MIDC Police Station, Dist. Ahilyanagar, for the offences punishable under Section 64 of the Bharatiya Nyaya Sanhita, 2023, on the following conditions :-

- (a) The Applicant shall not pressurize the prosecution witnesses and tamper with the prosecution evidence, in any manner.

(b) The Applicant shall attend the trial on each and every date unless exempted by the Trial Court.

(c) The Applicant shall submit Aadhar and Pan Cards to the Investigating Officer and detailed address and phone numbers of the Applicant and two of the near relatives.

(d) The Applicant shall not enter village Pangarmal, Tq. & Dist. Ahilyanagar, till conclusion of the trial.

(e) In case of breach of any of the conditions by the Applicant, it is open for the prosecution to move this Court seeking cancellation of bail.

(iii) Needless to state that, nothing stated hereinabove shall be construed as an expression on merits of the case. Learned Trial court shall proceed independently and uninfluenced by the observations made hereinabove.

(SACHIN S. DESHMUKH, J.)