



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

ANTICIPATORY BAIL APPLICATION NO. 1614 OF 2025

Keshav Laxman Rathod
Versus
The State of Maharashtra and another.

WITH

ANTICIPATORY BAIL APPLICATION NO. 2063 OF 2025

Vishwajit Keshavrao Rathod
versus
The State of Maharashtra and another.

WITH

ANTICIPATORY BAIL APPLICATION NO. 70 OF 2026

Ranjeet Keshavrao Rathod
Versus
The State of Maharashtra and another.

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Mr. D.J. Chaudhary, Advocate for applicant
Mr. P.D. Patil, APP for respondent Nos. 1 and 2.

**CORAM : MEHROZ K. PATHAN, J.
DATE : 21st APRIL, 2026.**

P.C. :-

1. The applicants have approached this Court seeking anticipatory bail in connection with Crime No.471 of 2025 registered with Udgir Rural Police Station, District Latur for the offences punishable under Section 115-2, 118-1, 123, 351-2, 351-3, 64-1, 64-2, 64(2)(f) 8 r/w. 3-5 of the Bhartiya Nyaya Sanhita and under Sections 4,6 and 8 of the POCSO Act.
2. This Court vide order dated 20.9.2025 passed in ABA No. 1614 of 2025 had protected the applicant grandfather Keshav, thereby directing the applicant therein to attend the Investigating Officer and cooperate with the investigation. The applicant in A.B.A. NO. 2063 of 2025 Vishwajit was also protected vide order dated 25.11.2025 with a

direction to attend the investigating officer and cooperate with the investigation. The applicant in ABA No. 70 of 2026 Ranjit, the husband of the complainant was also protected by this Court by order dated 16.1.2026 on a condition to cooperate with the investigation.

3. The learned counsel for the applicant Shri Chaudhary, submits that the applicants have attended the police station and have cooperated with the investigation. There is a considerable delay in lodging the FIR. There is a decree of divorce passed in HMP No. 72 of 2024 dated 12.11.2024. The present FIR is a fallout of the matrimonial proceeding which were there between the applicant Ranjit and the complainant. The improbable allegations of sexual assault not only by the father but also her uncle and grandfather are attributed only with an intention to wreak vengeance against the applicant for the decree of divorce obtained by the husband - Applicant Ranjit against the complainant. Even if the allegations are taken to be true, there is a considerable delay in lodging the FIR which stands unexplained. Since the applicants have attended the police station and cooperated with the investigation, the applicants may be protected by confirming the interim orders passed by this court.

4. As against this, the learned APP and Mr. Surve, the learned counsel assisting the prosecution strongly oppose the application on the ground that there are serious allegations of committing rape on the minor victim girl who is aged 9 years. The offence is serious in nature and is punishable with life imprisonment which shall mean the remainder of life. Hence, taking into consideration the nature of allegations, there was some delay in lodging the FIR, however, the delay is explained during the statement recorded by the Investigating Officer. Hence, even though the applicants were protected and had attended the police station, the applicants have given a threat to the complainant and the victim girl, at the behest of the present applicants who are bent upon to take revenge of the complainant. The learned APP further submits the

medical examination of the victim corroborates the allegations made in the FIR. Hence, this is not a fit case to grant anticipatory bail and the application may therefore be rejected.

5. I have gone through the investigation papers, which have now culminated into a charge sheet. I have also gone through the allegations in the FIR. Perusal of the investigating papers shows that the allegations against the father, grandfather and uncle are made for the period from 24.8.2024 till 29.6.2025. The FIR itself shows that the victim daughter had intimated about the alleged sexual assault committed by her father in the year 2024 itself. However, there is no explanation as to why the complainant did not lodge an FIR immediately against the accused persons. There are further allegations that on 29.6.2025, the applicant's father i.e. Ranjit had visited the house, where the complainant was residing and threatened the victim about dire consequences if she reports the incident of rape/sexual assault committed on her. Even thereafter, for a considerable period i.e. almost one month, the complainant did not lodge the FIR until 22.7.2025.

6. The applicants were directed and have attended the police station and have cooperated with the investigation, which has resulted into filing the charge sheet by the prosecution even against the present applicants. The submission of the learned counsel for the applicant that the present FIR is a fallout of a divorce decree passed by the Family Court dated 12.11.2024 cannot be ruled out at this stage. However, these observations are prima facie in nature and are made only for the purpose of deciding the present application and shall not influence the trial court. As such, I am inclined to protect the applicants as the custodial interrogation of the applicants would not be necessary. So far as the apprehension of the learned APP assisting counsel is concerned, the same can be taken care of by imposing stringent conditions. Hence, the following order.

ORDER

- [A] The applications are allowed ;
- [B] The interim order dated 20.9.2025 passed in ABA NO. 1614 of 2025 is hereby confirmed.
- [C] The interim order dated 25.11.2025 passed in ABA No. 2063 of 2025 is hereby confirmed.
- [D] The interim order dated 16.1.2026 passed in ABA No. 70 of 2026 is hereby confirmed.
- [E] The applicants are directed to attend the police station as and when directed by the Investigating Officer.
- [F] The applicants shall attend the trial on each and every date without fail unless so exempted by the trial court on valid grounds.
- [G] The applicants shall not enter the jurisdiction of Gandhi Chowk Police Station, Latur, till framing of the charge.
- [iv] The applicants shall submit their Aadhar and Pan card to the Investigating Officer alongwith mobile numbers and addresses of two of their near relatives and their present addresses.
- [H] A single violation of the conditions imposed shall entitled the prosecution or the complainant to seek cancellation of bail.
- [I] The applications stand disposed of. The application for permission to assist the prosecution also stands disposed of.

[MEHROZ K. PATHAN]
JUDGE.

grt/-