



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 2196 OF 2025

Prem Rahul Kshirsagar

VERSUS

The State Of Maharashtra And Another

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- Mr. P. P. More, Advocate for Applicant
- Mr. AAA Khan, APP for Respondent Nos. 1 and 2 - State
- Ms. Akanksha V. Sagar Killarika, Advocate (appointed) for Respondent No. 3 - Victim

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CORAM : MEHROZ K. PATHAN, J.

DATED : 09.01.2026

PER COURT :

1. Heard learned counsel for the applicant, the learned APP for respondent Nos.1 and 2 – State, and learned appointed counsel for respondent No.3 – victim.
2. The applicant has approached this Court apprehending arrest in connection with FIR No. 139 of 2024 dated 16.05.2024, registered with Kingaon Police Station, Taluka Ahmedpur, District Latur, for the offences punishable under Sections 96, 64(2)(m), 65(1), 115, 351(3), 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 4 and 5(l) of the Protection of Children from Sexual Offences Act, 2012.

3. The victim is duly served. Ms. Akanksha V. Sagar Killarika, Advocate, is appointed to represent the victim. She is present before the Court and has gone through the papers.

4. This Court, by interim order dated 11.12.2025, granted interim protection to the applicant and directed him to attend the Investigating Officer and cooperate with the investigation.

5. Learned counsel for the applicant submits that the applicant has scrupulously complied with all the conditions imposed by this Court vide interim order dated 11.12.2025. It is submitted that the applicant has cooperated with the investigation, necessary samples have been collected, and the charge-sheet has already been filed. It is further submitted that charges have also been framed against the applicant by the learned POCSO Court. A copy of the charge-sheet is tendered across the Bar. Hence, it is prayed that the interim protection be confirmed.

6. As against this, the learned APP and learned appointed counsel strongly oppose the application on the ground that the applicant has criminal antecedents and that five offences, all relating to bodily harm, are registered against him. It is submitted that there is a likelihood of the applicant intimidating the complainant, thereby causing prejudice to the trial.

7. I have considered the rival submissions. It is an admitted position that the investigation has been completed, the charge-sheet has been filed, and even charges have been framed against the applicant. This Court had earlier granted interim protection after taking into consideration the statement of Parshuram Dharade, who claims to have married the missing girl after a period of one year. Subsequently, the victim returned and recorded her supplementary statement, pursuant to which additional offences under the POCSO Act came to be added, whereas initially the FIR was registered only under Section 363 of the Indian Penal Code. Considering the stage of the proceedings, the fact that custodial interrogation is no longer required, and that the applicant has complied with the interim conditions, I am inclined to continue the interim protection granted to the applicant. The apprehension expressed by the learned APP can be adequately addressed by imposing stringent conditions.

8. Hence, the following order.

ORDER

- A) The Anticipatory Bail Application is allowed.
- B) The interim order dated 11.12.2025 is hereby confirmed, subject to the following further conditions:-
 - i. The Applicant is directed to attend the concerned police station and report to the Investigating Officer as

and when called for and shall also cooperate with the further investigation.

- ii. The applicant shall not enter Village – Anahori, Tq. Ahmedpur, Dist. - Latur.
- iii. The applicant shall furnish an alternate residential address outside Village Anahori, Tq. Ahmedpur, Dist. - Latur to the Investigating Officer and shall not change the same without prior intimation.
- iv. The Applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
- v. The applicant shall furnish copies of his Aadhaar Card and PAN Card to the Investigating Officer along with the addresses and mobile numbers of two nearest relatives.

9. Needless to say, violation of any of the aforesaid conditions may entitle the prosecution to seek cancellation of the interim relief granted herein above.

10. The observations made herein are prima facie and shall not influence the Trial Court or any other Court while deciding the case on its own merits.

11. Fees of the learned appointed counsel, Ms. Akanksha V. Sagar Killarikar, representing respondent No.3–Victim, shall be paid as per

the schedule of fees maintained by the Sub-Committee of the High Court Legal Services Sub-Committee, Aurangabad, expeditiously.

12. In view of the above, the application stands disposed of.

13. Pending applications, if any, also stand disposed of.

(MEHROZ K. PATHAN, J.)