



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

BAIL APPLICATION NO.289 OF 2026

Ajabsingh s/o Mansingh Bahure,
age 43 years, Occ. Private job,
R/o Behind Harsidhi Lawns,
Ranjangaon, Kamalpur Fata,
Tq. & Dist. Ch. Sambhajinagar. Applicant.

Versus.

1. The State of Maharashtra
through police inspector,
Satara police station,
Tq. & Dist. Cha. Sambhajinagar.
2. XYZ Respondents.

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Mr. R.P. Bhumkar, advocate for applicant.
Mr. C.V. Bhadane, APP for respondent State.
Mr. P.B. Gapat advocate for respondent no.2 appointe.

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CORAM : S. G. CHAPALGAONKAR, J.
DATED : 06th MARCH, 2026

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ORDER:-

1. The applicant seeks regular bail in connection with Crime No. 0070 of 2026 registered with Satara Police Station, Ch. Sambhajinagar, for the offences punishable under Sections 69, 351(2) of BNS.
2. The investigation was set in motion on the basis of information given by respondent no.2. It is alleged that in the year 2007 she had married with a person from village Palshi. She divorced in the year 2012 and resided in Cidco area. In may, 2019, she got acquainted

with applicant/accused. Initially, they had friendship. Intimacy was developed and since June, 2019 she had physical relations with him. In 2023, she resided with Golwadi area. The applicant/accused had physical relations with her. She had conceived pregnancy, however, aborted. When she asked the applicant/accused to marry her, he refused. Therefore, she alleges that applicant/accused is guilty of offences under section 69, 351 of the BNS.

3. The applicant came to be arrested on 28.1.2026. Since then, he is behind bar. He filed bail application no.246 of 2026 before the Sessions Court. However, it came to be rejected.

4. Heard Mr. Bumkar, learned advocate appearing for applicant, Mr Bhadane, learned APP for respondent/state and Mr. Gapat learned advocate for respondent no.2.

5. Perusal of FIR depicts that informant is a mature lady of 36 years having a son of 17 years. Since 2019, she was in relationship with the applicant. Although, she alleges that accused had physical relations on promise of marriage, inception of relationship does not appear on promise of marriage. It is not case of informant that she was not aware about marital status of the accused. She had consensual sexual relations with applicant knowing well that applicant is married. FIR has been lodged after seven years of continuous consensual relationship when, applicant/accused shown

his inability to marry her. In this backdrop, prima facie this Court finds that present FIR is an attempt to criminalize consensual relationship. In this backdrop, further detention of applicant would not be necessary. The applicant can be released on bail, by putting certain conditions. Hence, the following order:

ORDER

(i) Bail Application is allowed.

(ii) The applicant Ajabsingh s/o Mansingh Bahure be released on bail in Crime No.070 of 2026 registered with Satara Police Station, Chhatrapati Sambhaji nagar for offences punishable under Sections 69, 351 (2) of the BNS on furnishing PB. and S.B. of Rs.50,000 (Rs.Fifty Thousand only) on following conditions : -

- a. The applicant shall not tamper with the prosecution evidence in any manner.
- b. The applicant shall attend the concerned police station once in a week i.e. on every Monday between 11 am to 1 pm till filing of the charge-sheet.
- c. The applicant shall not indulge in criminal activity.

(iii) Application is **disposed of**.

(iv) Advocate Mr. Gapat is appointed to represent cause of respondent no.2. Hence, the Secretary, High Court Legal Services Sub-Committee, Aurangabad is requested to pay fees of appointed advocate as per rules.

(S. G. CHAPALGAONKAR)
JUDGE

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