



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

919 ANTICIPATORY BAIL APPLICATION NO. 76 OF 2026

BABURAO ALIAS BABRYA SHANKAR CHAVAN
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Mr. A. N. Suryawanshi, Advocate for Applicant
Ms. P. J. Bharad, APP for the Respondent/State

CORAM : R. M. JOSHI, J.

DATED : 9th JUNE, 2026

P C. :-

1. The applicant seeks pre-arrest bail in connection with Crime No. 0545/2025, registered with Degloor Police Station, District Nanded for the offences punishable under Sections, 132, 74, 121(1), 296, 351(2) r/w 3(5) of the Bharatiya Nyaya Sanhita.

2. In short, it is the prosecution's case that the present applicant obstructed the informant, who is a police personnel, from discharging her lawful duties. It is further alleged that the applicant attempted to outrage her modesty. On the basis of these allegations, the offence came to be registered against the applicant.

3. Learned Advocate for the applicant submits that there is a delay

of more than 24 hours in lodging the report, which, according to him, creates doubt regarding its genuineness. It is his submission that if the incidents in question had occurred in the presence of other police personnel, there was no impediment for them to lodge the report immediately, particularly if the informant required hospitalization. According to him, merely because other offences are registered against the applicant, he cannot be denied pre-arrest bail when custodial interrogation is not necessary. It is further submitted that since the charge-sheet has now been filed, the interim relief granted by this Court deserves to be confirmed.

4. Learned APP opposed the application by citing seriousness of the crime. It is her submission that since the informant was admitted in hospital, the delay in lodging of the report gets explained.

5. There is no dispute regarding the fact that two separate incidents occurred on 30/11/2025, one at a public place and the other at the police station when the applicant was brought there. This indicates that it was possible for the other police personnel to lodge the report against the applicant immediately. Thus, this Court finds substance in the contention of the learned Advocate for the applicant that there was an unexplained delay of 24 hours in lodging the report.

6. The contention of the learned Advocate for the applicant about possibility of false implication or exaggeration can not be discarded. Having regard to the nature of offence and in view of the fact that charge-sheet has been filed, the custodial interrogation of the applicant would not be necessary. In view of the same, interim relief deserves to be confirmed. Hence, the application stands allowed in terms of interim relief granted vide order dated 21/01/2026.

(R. M. JOSHI, J.)

ssp