



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

ANTICIPATORY BAIL APPLICATION NO. 693 OF 2026

1. Suryachandra Lalmani Dubey
2. Saraswati Suryachandra Dubey
3. Ashutosh Suryachandra Dubey
4. Shrishti Suryachandra Dubey

VERSUS

The State Of Maharashtra And Others

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- Mr. C. V. Thombre, Advocate for Applicants
- Mr. A. S. Shinde, APP for Respondents - State

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CORAM : MEHROZ K. PATHAN, J.

DATED : 28.04.2026

PER COURT :

1. The present application is filed by the applicants seeking extension of transit anticipatory bail granted by the learned Additional District Judge-3, Aurangabad, vide order dated 21.04.2026, to enable them to approach the jurisdictional Court at Rewa (Madhya Pradesh) for appropriate relief.

2. Learned counsel for the applicants submits that FIR No. 06 of 2026 is registered with Mahila Thana Police Station, Rewa, District Rewa (Madhya Pradesh), for the offences punishable under Sections 376(n), 493, 496, 417, 420, 109, and 120-B of the Indian Penal Code. The said FIR came to be registered pursuant to an order passed by the learned JMFC, Rewa, dated 24.02.2024 under Section 156(3) of the Code of Criminal Procedure.

3. It is further submitted that the principal allegations in the FIR, namely those relating to rape and bigamy (i.e., contracting a second marriage during subsistence of the first), are specifically against the husband of the complainant, namely Ravikant Suryachandra Dubey. The present applicants, who are the father-in-law, mother-in-law, brother-in-law, and sister-in-law of the complainant, are roped in with general and omnibus allegations, without any specific overt acts attributed to them.

4. Learned counsel submits that the applicants apprehend arrest at the hands of the police at Rewa and, therefore, had initially approached the learned Additional Sessions Judge at Aurangabad, who granted them transit protection for a limited period of seven days. However, due to non-availability of relevant documents, including a copy of the FIR, and considering the advanced age of applicant Nos. 1 and 2, the applicants could not approach the jurisdictional Court within the stipulated time.

5. It is, therefore, prayed that the interim protection granted earlier be extended for a reasonable period to enable the applicants to approach the competent Court at Rewa and seek anticipatory bail on merits.

6. Per contra, learned APP strongly opposes the application. It is submitted that the applicants, after obtaining transit protection on

21.04.2026, had sufficient time to approach the jurisdictional Court at Rewa (M.P.), but instead have chosen to file the present application, which indicates lack of diligence. It is contended that the application is devoid of merit and deserves rejection.

7. Learned APP further submits that reliance placed by the applicants on the judgment of the Hon'ble Supreme Court in ***Priya Indoria Vs. State of Karnataka and Others*** (MANU/SC/1246/2023) is misplaced. It is argued that the said judgment lays down guidelines requiring prior notice to the complainant/prosecutrix as well as to the concerned jurisdictional police station before seeking such relief, and in absence of compliance, the applicants are not entitled to any extension.

8. I have carefully considered the submissions advanced by both sides and have perused the material placed on record, including the application filed under Section 156(3) of Cr.PC. which led to registration of the FIR.

9. Upon perusal of the allegations, it prima facie appears that the serious allegations of rape and bigamy are directed against the husband of the complainant. As regards the present applicants, the allegations are general in nature without specific attribution of role or overt acts. However, it is made clear that this Court has not examined the merits of the case in detail and the jurisdictional Court

may decide the same independently, without getting influenced by any observations made herein. It is also pertinent to note that certain litigations between the parties are already pending, which suggests existence of matrimonial discord.

10. The learned Additional District Judge has already deemed it appropriate to grant transit protection to the applicants for a limited duration. Considering the totality of circumstances, including the nature of allegations against the present applicants, their relationship with the main accused, the limited protection already granted, and the necessity to enable them to approach the jurisdictional Court, this Court is inclined to extend the interim protection for a further limited period.

11. As regards the reliance on the judgment in *Priya Indoria (supra)*, it is true that the Hon'ble Supreme Court has laid down guidelines governing grant of transit anticipatory bail. However, the same also recognizes the necessity of granting reasonable protection to enable an accused to approach the appropriate Court. In the facts of the present case, a limited extension would meet the ends of justice.

ORDER

A) The application is partly allowed.

- B)** The transit anticipatory bail granted to the applicants by the learned Additional District Judge–3, Aurangabad, vide order dated 21.04.2026, is hereby extended for a further period of 15 (fifteen) days from today.
- C)** During the said period, the applicants shall not be arrested in connection with FIR No. 06 of 2026 registered with Mahila Thana Police Station, Rewa, District Rewa (Madhya Pradesh).
- D)** The applicants shall, within the said period, approach the competent jurisdictional Court at Rewa (M.P) and seek appropriate relief in accordance with law.
- 12.** It is made clear that upon expiry of the aforesaid period of 15 days, the protection granted by this Court shall automatically come to an end.
- 13.** The application stands disposed of accordingly.

(MEHROZ K. PATHAN, J.)