



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

ANTICIPATORY BAIL APPLICATION NO. 699 OF 2026

Maruti Kbabasaheb Waghmode And Another
VERSUS

The State Of Maharashtra And Others

Mr. Joydeep Chatterji, Advocate for applicants
Ms. R. P. Gour, APP for respondent-State

CORAM : R. M. JOSHI, J.

DATE : 10th JUNE, 2026

PER COURT :-

1. Applicants seek bail in connection with Crime No. 0217 of 2026 registered with Shevgaon Police Station, Dist. Ahilyanagar, for the offences punishable under Sections 74, 118(1), 352, 351(2), 351(3) read with Section 3(5) of the Bhartiya Nyaya Sanhita and under Section 8 and 12 of the Protection of Children from Sexual Offences Act.

2. First informant is a minor girl who claims that on 14.03.2026 at about 5:30 PM co-accused came near her house and committed indecent act whereby her modesty was outraged. There is further allegation with regard to the threats issued by the applicant and co-accused so also they assaulting the witnesses.

3. Learned counsel for applicants submits that there are

disputes between the parties and the present report came to be lodged by way of counter blast placed to the report lodged by co-accused Babasaheb. It is his submission that in any case, the allegation against the present applicants are vague in nature and considering the fact that on conclusion of the investigation, charge sheet is filed. Application deserves to be allowed. At the outset, learned counsel for applicants submits that applicant No. 1 is arrested during the pendency of the application and as such, application has become infructuous.

4. Learned APP and learned counsel for respondent No. 2 victim opposed to grant interim relief to the applicants. It is contended by the learned APP that considering the dispute between the parties, it would be appropriate to put the parties to certain condition.

5. *Prima facie* perusal of First Information Report does not indicate that the offence under the Protection of Children from Sexual Offences Act could be attributed before the present applicants as rightly argued by the learned counsel for the applicants. Allegations against the applicants with regard to abuse of assault are vague in nature. Since, the charge sheet is already filed, custodial interrogation is not necessary. As far as the imposition of conditions are concerned, though there are offences registered against the applicants as well as the informant, pertinently those offences are in respect of the act committed against

each other. This Court therefore, finds no reasons to impose any specific condition. Hence, application stands allowed.

ORDER

- (i) Application is allowed.
- (ii) In the event of arrest of applicants in connection with Crime No. 0217 of 2026 registered with Shevgaon Police Station, Dist. Ahilyanagar, for the offences punishable under Sections 74, 118(1), 352, 351(2), 351(3) read with Section 3(5) of the Bhartiya Nyaya Sanhita and under Section 8 and 12 of the Protection of Children from Sexual Offences Act, they shall be released on bail on furnishing PR Bond of Rs.15,000/- (Rupees Fifteen Thousand only) with one solvent surety in the like amount.
- (iii) Applicants are directed to attend concerned police station if called by written notice till filing of the chargesheet.
- (iv) Applicants shall not contact the witnesses directly or indirectly.
- (v) Applicants shall not interfere with the evidence in any manner whatsoever.
- (vi) Applicants further directed to cooperate the investigating agency for further investigation.

(R. M. JOSHI, J.)

B. S. Joshi