IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR

CRIMINAL APPELLATE JURISDICTION

CR. ANTICIPATORY BAIL APPLN. NO. 263 OF 2026

Imteehaj Mainuddin Atar ……Applicant

Versus

The State of Maharashtra & Anr. ……Respondents

- *Mr. Ritesh M. Thobde i/b. Mr. Darshan Singh Rajpurohit for Applicant.*
- *Mr. S.H. Yadav, A.P.P. for Respondents-State.*
- *Officer : PHC/175 Mr. Somnath M. Khandekar, Barshi Taluka Police Station, District Solapur Rural, present.*

Coram : ASHWIN D. BHOBE, J.

Date : 12th October 2026.

PER COURT :

1. Heard, Mr. Ritesh Thobde, learned Advocate for the Applicant and Mr. Yadav, learned A.P.P. for the Respondents-State.

2. On 6th May 2026, the following order was passed :

> *"1. The applicant is apprehending arrest in connection with Crime No.8 of 2026 registered with Barshi Taluka Police Station, District Solapur for the offences punishable under Sections 88, 91 r/w 3 (5) of the Bharatiya Nyaya Sanhita, 2023, Sections 3 (1), 3(3), 3A, 6 (a), 6 (b), 6 (c), 18 and 23 of the Pre-conception and Pre-Natal Diagnostic Techniques Act (Prohibition of Sex Selection) Act*

1994 and Sections 3 and 4 of the Medical Termination of Pregnancy Act, 1971.

2. *Issue notice to the non-applicants returnable on 12th June, 2026.*

3. *Learned A.PP waives service for non-applicant No.1-State.*

4. *Heard the learned counsel for the applicant and the learned A.P.P. appearing for non-applicant No.1 – State.*

5. *It is contended on behalf of the applicant that he has no nexus whatsoever with the alleged crime and has been falsely implicated in the present case. Learned counsel for the applicant further submits that the only role attributed to the applicant is that some other co-accused has allegedly purchased certain tablets purportedly used for termination of pregnancy from the present applicant, who is running a medical shop.*

6. *Perusal of the First Information Report indicates that the articles allegedly used for effecting miscarriage were recovered from the possession of the main accused namely, Ajit Suresh Mastud. During the course of investigation, it has further surfaced that another co-accused Narendra Bhagat is alleged to have supplied pills for termination of pregnancy after purchasing the same from the present applicant. It is thus contended that the role attributed to the present applicant is limited only to allegedly supplying certain pills without a valid prescription. No direct involvement in the commission of the alleged offence is made out.*

7. *A detailed scrutiny of the case diary is required, which is not available at this juncture.*

8. *Considering the submission of the learned counsel for the applicant, a case is made out for grant of ad-interim protection. Hence, the following order:*

:ORDER:

(a) Pending the application, in the event of arrest, applicant Imteehaj Mainuddin Atar shall be released on bail upon furnishing a PR bond in the sum of Rs.25,000/- with one solvent surety in the like amount, in connection with Crime No.8 of 2026 registered with Barshi Taluka Police Station,

District Solapur for the offences punishable under Sections 88, 91 r/w 3 (5) of the Bharatiya Nyaya Sanhita, 2023, Sections 3 (1), 3(3), 3A, 6 (a), 6 (b), 6 (c), 18 and 23 of the Pre-conception and Pre-Natal Diagnostic Techniques Act (Prohibition of Sex Selection) Act 1994 and Sections 3 and 4 of the Medical Termination of Pregnancy Act, 1971.

(b) The applicant shall appear before the concerned Police Station on every Friday and Tuesday between 10.00 a.m and 12.00 noon for the next two weeks and co-operate in the investigation.

(c) The applicant shall not tamper with the prosecution evidence or threaten the prosecution witnesses in any manner.

9. List on 12th June, 2026."

3. Mr. Ritesh Thobde, learned Advocate for the Applicant, submits that the Applicant is a pharmacist and has co-operated with the investigation.

4. Mr. Yadav, learned A.P.P. for the Respondents-State, submits that the Applicant has appeared before the Investigating Officer. He further submits that the Applicant's involvement is in supplying pills for termination of pregnancy without a prescription.

5. Considering the submissions made by Mr. Ritesh Thobde, learned Advocate for the Applicant, the Applicant being a pharmacist, the Applicant having appeared before the Investigating Officer and further, there being no allegations that the Applicant has violated the bail conditions, this

Application is allowed, confirming the order dated 6th May 2026 and making it absolute in terms of paragraph No. 8(a) & 8(c), subject to the following additional conditions :

ADDITIONAL CONDITIONS :

(i) The Applicant shall appear before the Investigating Officer attached to Barshi Taluka Police Station, District Solapur, as and when required by the Investigating Officer, and shall cooperate with the investigation in Crime No. 08 of 2026.

(ii) The Applicant shall provide the Investigating Officer with his residential address along with proof, his mobile phone number, WhatsApp number and email address to the Investigating Officer within five days from today and must inform the Investigating Officer of any changes to this information from time to time.

6. The Anticipatory Bail Application No. 263 of 2026 is disposed of.

[ASHWIN D. BHOBE, J.]

OMKAR SHIVAHAR KUMBHAKARN
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