

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION**

ANTICIPATORY BAIL APPLICATION NO. 1309 OF 2024
PRATIK DAGADU METKARI
VERSUS
THE STATE OF MAHARASHTRA AND ANR.

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Advocate for Applicant : Mrs. Tanvii Tapkire a/w
Mr. Pranjal Survase

APP for Respondents/State : Mr. Anand S. Salgaonkar

Advocate for Respondent No.2 : Mrs. Asmita Killiar
(appointed)

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CORAM : MEHROZ K. PATHAN, J.

DATE : 11th JUNE 2026

PER COURT :

1. Heard the learned Counsel for the Applicant, the learned appointed Counsel for Respondent No.2 and the learned APP Mr. Salgaonkar for the Respondent/State.
2. The Applicant has approached this Court, seeking anticipatory bail application in connection with Crime No. 95/2024 registered with Atpadi Police Station, District Sangli for the offences punishable under Sections 354, 354-D of the Indian Penal Code, 1860 and under Sections 11(iv), 12 of the Protection of Children from Sexual Offences Act, 2012.
3. The case of the prosecution is that the informant/victim is

residing with her grandparents, two brothers and one sister and she is studying in 8th Standard in Matoshri Abutai Bhosale Vidayala, Nelkaranji and her school timings are from 11 A.M. to 5 P.M. The F.I.R further discloses that informant goes to school by bus from her village at 10 A.M. and returns home by 5 P.M. bus. The F.I.R. further discloses that informant's father is having mobile of Redmi Company, having dual sim card facility and mobile numbers are 7666349703 and 8999259037 and all the family members use said mobile.

. It is alleged that, on 26/02/2024 in the evening at 4.30 P.M. after the school, the informant came to Nelkaranji Bus Stand and at that time the applicant of Manewadi came there and he threw one chit in front of her and therefore she picked it up and read it. It is alleged that in the said chit her name was mentioned and it was written that why he is not receiving the phone call. It is further alleged that, thereafter on 29/02/2024, the victim was present in the house and in the evening at 4 P.M., when she was proceeding toward their field to fetch fodder, near constructed arch of village Manewadi, the Applicant came in front of her and allegedly asked her whether she would go with him and went away. It is further alleged that, thereafter from 4.30 P.M. onwards till 7.22 P.M., he was sending some obscene messages on whats app number 8999259307 from the mobile number 9673180667 of co-accused Rahul and therefore, father of the victim asked her about who is this person sending these messages and therefore, she allegedly narrated previous incidents and therefore she came to police station along with her parents and lodged the F.I.R.

4. The learned Counsel for the Applicant submits that the Applicant was protected vide interim order dated 09.05.2024. The Applicant is having relations with the Informant's elder sister and father of the Informant has objected to such relationship and therefore the Applicant is falsely implicated in present crime. Even if the allegations are taken to be true, the custodial interrogation of the Applicant is not necessary. Since the Applicant was protected by this Court vide order dated 09.05.2024, the Applicant has cooperated with the investigation and has attended the police station as and when called by the Investigating Officer. The charge-sheet is filed against the another co-accused Rahul Mane. Nothing remains to be investigated against the present Applicant. The Applicant is further ready to abide by any conditions that may be imposed by this Court. Hence the Applicant may be protected by confirming the interim order.

5. As against this, the learned APP as well as the learned appointed Counsel for the Respondent No.2 strongly oppose the present application on the ground that though the offence is serious in nature, the Applicant has cooperated the investigation. The Applicant shall be directed to remain present as and when called by the Investigating Officer.

6. I have gone through the investigation papers made available by the learned APP. The submission of the learned Counsel for the Applicant that the Applicant is falsely implicated in the present crime,

cannot be ruled out at this stage. However these observations are prima facie in nature and are made only to decide the present application and the same may not influence the trial Court. Taking into consideration the nature of allegations against the present Applicant, there is no necessity for the custodial interrogation of the Applicant. Considering that the Applicant was protected vide interim order dated 09.05.2024, and that he has attended the police station and cooperated with the investigation, I find no impediment in confirming the interim order and releasing the Applicant on bail. Hence, the following order:

ORDER

- (i) The application is allowed.
- (ii) The interim order dated 09.05.2024 is hereby confirmed.
- (iii) The Applicant shall attend Atpadi Police Station, District Sangli as and when called by the Investigating Officer till filing of the charge-sheet.
- (iv) The Applicant is directed not to tamper with the evidence and shall not threaten the complainant or his relatives.
- (v) A single violation of the aforesaid conditions, would entitle the prosecution to seek cancellation of bail of the Applicant.
- (vi) The fees of the learned appointed counsel for Respondent No.2 are quantified at Rs. 5,000/-.
- (vii) With the aforesaid directions, the application is disposed of.

MEHROZ K. PATHAN
JUDGE