

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO.2823 OF 2024**

Irfan Salim Bangi	... Applicant
vs.	
State of Maharashtra & Anr.	... Respondents

Mr. Karansingh Rajput with Farzan Shaikh for the Applicant.
Ms. Supriya Kak, APP for Respondent No.1-State.
Mr. Vivek Arote for Respondent No.2.
Mr. B. P. Shirsat, PSI, Swargate police station present.

CORAM : SHYAM C. CHANDAK, J.

DATED : 6th MARCH, 2026

P. C. :

. The Applicant apprehending his arrest in connection with C.R. No.222 of 2024 dated 9th June, 2024 registered with Swargate police station for the offence under Sections 354A, 506(2), 504, 323 read with 34 of the Indian Penal Code ('IPC') and under Section 11, 12 of the Protection of Children from Sexual Offences Act, 2012 ('POCSO Act'), is seeking to direct his release on bail in the event of his arrest in said crime.

2) Ms. Kak, learned APP submitted that the victim has been served with notice of this Application and she has requested for the legal aid. Hence, Mr.Vivek Arote, learned Advocate is appointed to represent and espouse the cause of Respondent No.2.

3) Heard Mr.Rajput, learned Counsel for the Applicant, Ms.Kak, learned APP for the Respondent-State and Mr.Arote, learned Advocate appointed for Respondent No.2.

4) The case of the prosecution is that on the relevant date, at time and place the co-accused Bhurya @ Musthfa Khan caught hold of the hand of the victim girl aged 15 years and co-accused Razzak Sayyed uttered insulting words. The victim rescued herself and immediately went home. Thereafter, the father of the victim questioned them about their said Act. Therefore, accused-Bhurya threaten to kill her father by brandishing knife. The Applicant, co-accused Razzak Sayyed and one Farukh Ansari assaulted the father of the informant. The Applicant and Farukh Ansari uttered insulting and obscene words in respect of the victim. Therefore, the victim filed a report and the aforesaid crime came to be registered. The Applicant approached the Sessions Court for anticipatory bail and was granted interim bail. However, since the Applicant did not cooperate for the investigation, therefore, the learned Sessions Court rejected his Application. Thereafter, the Applicant approached this Court and *vide* this Court Order dated 21st October 2024, he was granted an ad-interim relief.

5) The learned Counsel for the Applicant submitted that all other accused have been granted regular bail. In so far as role of the Applicant is concerned, he was not involved in the act of outraged the modesty of the victim but he along with co-accused Farukh Ansari have uttered insulting

words against the victim and assaulted her father by means of fist blows. However, the custodial interrogation of the Applicant is not necessary. The learned APP stated that, after the grant of interim relief, the Applicant has cooperated for the investigation. The Applicant has not misused the liberty while on interim bail. The charge-sheet is already filed. The Applicant is not likely to abscond and tamper with the prosecution evidence, therefore, there is no impediment in confirming the ad-interim anticipatory bail granted earlier.

7) In the wake of above, I am inclined to allow the Application. Hence, the following Order is passed :-

ORDER

- (i) Application is allowed.
- (ii) In the event of arrest of the Applicant -Irfan Salim Bangi in C.R. No.222 of 2024 registered with Swargate police station, Pune under Sections 354-A, 506(2), 504, 323 read with 34 of the IPC, he shall be forthwith released on bail on executing a personal bond in the sum of Rs.50,000/- with one or two sureties in the like amount.
- (iii) The Applicant shall attend before the Investigating Officer as and when called for the purpose of investigation.
- (iv) The Applicant shall not tamper with the prosecution evidence

and shall not directly or indirectly influence upon the prosecution witnesses.

- (v) The Applicant shall attend each and every date before the trial Court, unless exempted by said Court, and cooperate for expeditious disposal of said case.

8) With the above observations, the Anticipatory Bail Application stands disposed of.

(SHYAM C. CHANDAK, J.)