

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO. 2930 OF 2025

Devidas Sukhdeo Bhavsar

...Applicant

Versus

State Of Maharashtra and Anr

...Respondents

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Mr. Madhusudan Pareek, *for Applicant.*

Ms. Savita M. Yadav, *APP, for Respondent No. 1-State.*

Ms. Chaitali Pawar, *for Respondent No. 2.*

PC 408-Bhaskar Rama Baste, *Nandgaon Police Station, Nashik Rural (Mobile No. 9527540800).*

CORAM : MADHAV J. JAMDAR, J.

Date : 5th February, 2026

P C :

1. Heard Mr. Pareek, Learned Counsel appearing for the Applicant, Ms. Chaitali Pawar, Learned Counsel appointed to represent the interest of Respondent No. 2 and, Ms. Yadav, Learned APP appearing for Respondent No. 1-State.

2. This application is filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 ("**Sanhita**") seeking pre-arrest bail in connection with C.R. No.372 of 2025 registered with Nandgaon Police Station, Nashik Rural for the offences punishable under Sections 74,

115(2), 351(2), 351(3), 352, 324(4), 189(2) and 191(2) of Sanhita and under Section 12 of the Protection of Children from Sexual Offences Act, 2012.

3. The prosecution case is set out in paragraph No. 8 of the order dated 23rd September, 2025 passed by Learned Additional Sessions Judge, Malegaon, which reads as under :

“8. Copy of FIR prima facie shows that FIR is registered against applicant-accused and other accused on 26/08/2025 at 19.45 hrs. at Nandgaon Police Station vide C.R. No.372 of 2025 for the offence p/u/s. 74, 115(2), 351(2)(3), 352, 324(4), 189(2), 191(2) of the B.N.S. and Section 12 of the POCSO Act. In the FIR it is alleged that on 26/08/2025 at about 12.15 hours the father of informant/victim came from his Hotel at his house and told that the applicant-accused and other accused had came at the Hotel and accused are quarreling with him by saying that the Hotel premises belongs to them, therefore, the informant/victim, her father and mother went at the Hotel at about 12.30 p.m., at that time there was quarrel and applicant-accused and co-accused assaulted the father of informant/victim by fist and kick blows, therefore, he sustained bleeding injury to his nose. It is further alleged that when the informant/victim tried to rescue her father, applicant-accused hold her breasts and pushed her, therefore, she fell on the table and applicant-accused outraged her modesty and her spectacles fell on the ground. It is further alleged that applicant-accused assaulted her and caused injuries to her left hand and mouth and co-accused gave slaps to her and threatened

her that she would be killed and he pushed her from the table. In the FIR it is further alleged that other accused pushed the informant/victim when she was helping her father and they also assaulted her mother and threatened her that she would be killed. It is further alleged that mobile phone of the father of informant/victim and another mobile phone are lost during the said incident. As per the contents of FIR when the informant/victim and her father went at Nandgaon Police Station, police referred them for medical treatment.”

4. It is the submission of Learned Counsel for the Applicant that there is a dispute between the families of the first informant and the Applicant over ancestral agricultural land and false first information report is filed. He submits that the Applicant is a senior citizen of 71 years and not involved in the crime. He submits that there are no other antecedents and the Applicant will cooperate with the investigation.

5. Ms. Yadav, Learned APP and Ms. Pawar, Learned Counsel appointed to represent the interest of Respondent No. 2 strongly opposes the application. Both of them submit that the offence is very serious, and therefore, the anticipatory bail application be rejected.

6. Perusal of the record shows that there is a long standing dispute between the two families of the first informant and the

Applicant over ancestral agricultural land and a civil dispute to that effect is pending. Earlier also, an offence has been registered on 13th April, 2017, and an FIR has been lodged by the present Applicant against the father of the first informant, and in that case, the father of the first informant is one of the co-accused. In any event, apart from other aspects, the Applicant is a senior citizen aged 71 years, and the Learned Counsel appearing for the Applicant submits that the Applicant shall not, in any manner, contact the first informant.

7. Accordingly, in the facts and circumstances, a case is made out for grant of Anticipatory Bail. In view thereof, the following order is passed:

ORDER

- a) In the event of arrest of the Applicant-Devidas Sukhdeo Bhavsar in connection with C.R. No. 372 of 2025 registered with the Nandgaon Police Station, Nashik Rural, the Applicant is directed to be released on bail on his furnishing P.R. Bond in the sum of Rs. 25,000/- with one or two solvent sureties in the like amount.

- b) The Applicant shall attend the concerned Police Station as and when called by the concerned investigation officer and cooperate with the investigation.
- c) The Applicant shall not contact the victim/first informant in any manner whatsoever.
- d) The Applicant shall furnish his cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.
- e) The Applicant shall not directly or indirectly make any inducement, threat, or promise to any person acquainted with the facts of the case so as to dissuade such a person from disclosing the facts to the Court or to any Police personnel.
- f) The Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.

8. This Court places on record the appreciation of the assistance rendered by Ms. Chaitali Pawar, Learned Counsel appointed to represent the interest of Respondent No. 2 in the matter. The High

Court Legal Services Authority is requested to pay the professional charges of Ms. Chaitali Pawar, Learned Counsel, as per the rules.

9. The Anticipatory Bail Application is *disposed of* accordingly.

[MADHAV J. JAMDAR, J.]