

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.3620 OF 2025

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Sagar *alias* Khandu *alias* Nilesh Maruti Aher ...Applicant

Versus

The State of Maharashtra ...Respondent

Mr. Balasaheb Deshmukh, for the Applicant.

Ms. R. V. Newton, APP, for the Respondent-State.

P.S.I. P. D. Mohite, Yeola City Police Station, Nashik (Rural),
present.

CORAM: MADHAV J. JAMDAR, J.

DATED: 06 JANUARY 2026

PC:-

1. Heard Mr. Deshmukh, learned Counsel appearing for the Applicant and Ms. Newton, learned APP for the Respondent-State of Maharashtra.

2. By the present Anticipatory Bail Application filed under Section 482 of the *Bharatiya Nagarik Suraksha Sanhita, 2023*, the Applicant is seeking pre-arrest bail in connection with CR No.223 of 2025 registered on 16th July 2025 with the Yeola City Police Station, District - Nashik, for the offences punishable under Section 143 of the *Bharatiya Nyaya Sanhita, 2023* and Sections 3, 4 and 5 of the *Immoral Traffic (Prevention) Act, 1956*.

3. It is the submission of Mr. Deshmukh, learned Counsel for the Applicant that the Applicant's name is not mentioned in the FIR. He submits that the Applicant's name is mentioned in the statement of Accused No.1. He submits that the Applicant is a vegetable vendor and used to supply vegetables to the concerned Bar. He submits that the Applicant is not involved in the crime and there are no criminal antecedents against the Applicant.

4. On the other hand, Ms. Newton, learned APP, points out the statement dated 20th July 2025 of Shivneri Ulhas Gangurde, Police Constable working with the Yeola City Police Station, Nashik (Rural). She submits that the Applicant is involved in the crime.

5. In view of the said contention raised by Ms. Newton, learned APP, Mr. Deshmukh, learned Counsel for the Applicant points out the statement of the victim dated 15th July 2025 and submits that the Applicant's name is not mentioned by the victim. In any case, he submits that the Charge-sheet has been filed and the investigation is completed.

6. The prosecution case is set out in Paragraph No.2 of the Order dated 21st November 2025 passed by the learned Additional Sessions Judge, Yeola, District-Nashik in Criminal Bail Application No.215 of 2025, which reads as under :-

“Brief facts of the prosecution case is as under :

2. It is alleged by the informant Janardan Madhukar Dalvi, that on 15.07.2025 at about 7.45 p.m. P.I. of Yeola City Police Station called him and gave information and stated that as per secrete information some prostitution activities are going on in Hotel Nandan, situated at Yeola Nashik Road, Yeola. Therefore, informant alongwith other police staff conducted the raid at hotel Nandan. There accused Purushottam Bhavar found near the counter and in one room one woman found by the police. Before he conducting raid informant has sent dummy customer. When raid was effected, one victim woman who is Bangladeshi came to be rescued and accused Purushottam Bhavar found at the counter of said hotel. Therefore, informant arrested him and approached to City Police Station, Yeola and lodged the report. On the basis of report C.R.No.223 of 2025 registered against the applicant and co-accused for the offence under sec.143 of BNS and Sec.3,4 and 5 of The Immoral Traffic(Prevention) Act, 1956.”

7. Perusal of the record shows that the Applicant's name is not mentioned in the FIR. Even the victim has also not mentioned the Applicant's name. In any case, the Charge-sheet has already been filed against the Co-Accused. Thus, investigation is substantially completed even against the Applicant.

8. Mr. Deshmukh, learned Counsel for the Applicant, states that the Applicant will cooperate with the investigation.
9. There are no other criminal antecedents against the Applicant.
10. Accordingly, by imposing conditions, the case is made out for grant of anticipatory bail.
11. In view thereof, the following Order is passed:

ORDER

- (a) In the event of arrest of the Applicant - Sagar *alias* Khandu *alias* Nilesh Maruti Aher, in connection with CR No.223 of 2025 registered with the Yeola City Police Station, Nashik Rural, he be released on bail on his furnishing PR Bond in the sum of Rs.50,000/- with one or two solvent sureties in the like amount.
- (b) The Applicant shall attend the concerned Police Station, once in a week i.e. on every Sunday between 11:00 am to 02:00 pm, and shall cooperate with the investigation.

- (c) 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.
- (d) 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.
- (e) The Applicant shall not tamper with the prosecution evidence and shall not contact or influence the Complainant or any witness in any manner.
- (f) The Applicant shall not leave India without prior permission of the Court.

12. The Anticipatory Bail Application is disposed of accordingly.

[MADHAV J. JAMDAR, J.]