



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL APPLICATION (ABA) NO. 333 OF 2026

Mangesh Bhanudas Bhagat Vs State of Maharashtra

Office Notes, Office Memoranda of Coram, Appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
---	---------------------------

Mr. P.W. Mirza, counsel for applicant.

Mr. C.A. Lokhande, APP for non-applicant/State.

CORAM: RAJNISH R. VYAS, J.

DATED : 27/04/2026

1. Apprehending arrest, the applicant has preferred an application for the grant of anticipatory bail in connection with Crime No. 180 of 2026, dated 15/04/2026, registered with Police Station Murtizapur Gramin Police Station, District Akola, for the offence punishable under Sections 69, 64(2)(m) and 351(2) of the Bharatiya Nyaya Sanhita, 2023 (for short, 'BNS').

2. The informant of the crime is a girl of 23 years old. The applicant was residing adjacent to her house and was a married person.

3. In short, it is alleged in the FIR that initially some messages were sent by the applicant to the victim of the crime and thereafter, a friendship was developed. The friendship between the applicant and victim blossomed into a love affair. It is alleged in the FIR that on 02/03/2023, the applicant had sexual intercourse with the victim under pretext of performing the marriage. It is further alleged that thereafter, on several occasions, the

applicant had physical relationship with the victim. It is also alleged that on 28/10/2025, the applicant and the victim ran away from the house. It was alleged from 11/04/2026, the applicant started avoiding her and abused her.

4. The learned counsel for the applicant submitted that, considering the fact that victim was a major at the time of alleged incident and there was a consensual relationship, prima-facie offence is not made out.

5. Per contra, the learned APP has contended that offence is serious and a detailed reply will have to be filed.

6. As the FIR shows that victim was 23 years old and the first incident had taken place on 02/03/2023, whereas the FIR was lodged on 15/04/2026, in my opinion, the liberty of the applicant is required to be protected till the next date. Accordingly, I proceed to pass the following order.

ORDER

- a) Issue notice to the non-applicant, returnable on 05/05/2026
- b) The learned APP waives service of notice on behalf of the non-applicant/ State and seeks time to file reply.
- c) In the event of arrest, in connection with

Crime No. 180 of 2026, dated 15/04/2026, registered with Police Station Murtizapur (Gramin) Police Station, District Akola, for the offence punishable under Section 69, 64(2)(m) and 351(2) of the Bharatiya Nyaya Sanhita, 2023, the applicant ***Mangesh Bhanudas Bhagat***, be released on ad-interim bail on furnishing a P.R. bond of Rs. 25,000/- (Rupees Twenty Five Thousand Only) with one solvent surety in the like amount.

- d) The applicant shall attend the concerned Police Station on 2nd and 3rd of May 2026, between 10.00 a.m. to 12.00 p.m.
- e) The applicant shall cooperate with the investigating agency and shall not tamper with the prosecution evidence or influence the witnesses.
- f) The applicant shall not leave the India without prior permission of the Court.

(RAJNISH R. VYAS, J.)