

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

CRIMINAL APPLICATION (ABA) NO. 407 OF 2026

Dr. Digvijay s/o Rajaram Patil

..vs..

State of Maharashtra and anr.

 Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Shri V.N. Morande, Advocate for Applicant.
 Shri A.M. Ghogre, APP for Non-applicant /State.
 Shri Utkarsh Shende, Advocate for non-applicant no.2.

CORAM : RAJ D. WAKODE, J.
DATED : 26.05.2026.

Heard learned Counsel for the applicant, learned
 Additional Public Prosecutor for the State and learned
 Counsel for non-applicant no.2.

2. In anticipation of arrest in Crime No.204/2026 registered with Yavatmal City Police Station, Yavatmal for the offence punishable under Sections 75, 79 of the Bharatiya Nyaya Sanhita, 2023 and Sections 8 and 12 of the Protection of Children From Sexual Offences (POCSO) Act, 2012, the applicant has prayed for pre-arrest protection.

3. This Court has issued notices to the non-applicants, in response to which the non-applicant no.1 State has already filed a reply across the bar and supplying the copy of reply on learned Counsel for the applicant. From the perusal of the reply it reveals that the investigation is complete and charge-sheet is filed on 08.05.2026 bearing no.56 of 2026.

4. Learned Counsel for the applicant submits that the complainant is the legally wedded wife of the applicant; however, they have been residing separately since April, 2023. There is severe matrimonial dispute between them, and several civil as well as criminal cases are pending between the applicant and the complainant, particulars of which are mentioned in the chart at page No. 28.

5. The learned Investigating Officer has opposed the anticipatory bail mainly on two grounds: firstly, that if the applicant is released on bail, he may pressurize the prosecution witnesses; and secondly, that he may abscond, due to which the investigation may be hampered.

6. Per contra, learned Counsel for the applicant submits that the applicant is a doctor by profession and is residing at Chitrangan Society, Bibwewadi, Sukhsagar Nagar, Pune, whereas non-applicant No. 2, being the wife, is residing along with the victim at Taluka Kalamb, District Yavatmal. Therefore, there is no question of tampering with the prosecution witnesses.

7. As regards the second apprehension expressed by the Investigating Officer, namely that the applicant may flee away if released on bail, learned Counsel for the applicant points out that the applicant is a B.A.M.S.-qualified doctor and is currently employed with a reputed company situated at Pune.

8. In view of the aforesaid facts, particularly considering that the investigation is complete and the charge-sheet has already been filed, I am inclined to release

the present applicant on interim bail till the application is finally heard and decided on 09.06.2026. Hence, the following order:

- (a) In the event of arrest applicant Dr. Digvijay s/o Rajaram Patil in Crime No.204/2026 registered with Yavatmal City Police Station, Yavatmal for the offence punishable under Sections 75, 79 of the Bharatiya Nyaya Sanhita, 2023 and Sections 8 and 12 of the Protection of Children From Sexual Offences (POCSO) Act, 2012 be released on ad-interim anticipatory bail till 09.06.2026 on his furnishing P.R. bond of Rs.50,000/- with one solvent surety in the like amount.
- (b) The Applicant shall attend concerned Police Station as and when called to facilitate the investigation.
- (c) The Applicant/Accused shall co-operate with the Investigating Agency.
- (d) The Applicant/accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also shall not tamper with the evidence.
- (e) The Applicant/accused shall provide his residential address and cell number to the concerned Investigating Officer where they intend to reside.

- (f) Breach of either of condition would give rise to the prosecution to move this Court for cancellation of bail.
9. Place the matter on 09.06.2026, for further consideration.

(RAJ D. WAKODE, J.)

Trupti