

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR

CRIMINAL APPELLATE JURISDICTION

ANTICIPATORY BAIL APPLICATION NO.263 OF 2026

Imteehaj Mainuddin Atar

... Applicant

Versus

The State of Maharashtra and another

... Respondents

Mr. Ritesh M. Thobde a/w Mr. Darshan Singh Rajpurohit, for the Applicant.

Mr. S.H. Yadav, A.P.P, for Respondent - State.

CORAM : M. W. CHANDWANI, J.

DATE : 6th MAY, 2026.

P. C. :

1. The applicant is apprehending arrest in connection with Crime No.8 of 2026 registered with Barshi Taluka Police Station, District Solapur for the offences punishable under Sections 88, 91 r/w 3 (5) of the Bharatiya Nyaya Sanhita, 2023, Sections 3 (1), 3(3), 3A, 6 (a), 6 (b), 6 (c), 18 and 23 of the Pre-conception and Pre-Natal Diagnostic Techniques Act (Prohibition of Sex Selection) Act 1994 and Sections 3 and 4 of the Medical Termination of Pregnancy Act, 1971.

2. Issue notice to the non-applicants returnable on 12th June, 2026.

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3. Learned A.P.P waives service for non-applicant No.1 – State.
4. Heard the learned counsel for the applicant and the learned A.P.P appearing for non-applicant No.1 – State.
5. It is contended on behalf of the applicant that he has no nexus whatsoever with the alleged crime and has been falsely implicated in the present case. Learned counsel for the applicant further submits that the only role attributed to the applicant is that some other co-accused has allegedly purchased certain tablets purportedly used for termination of pregnancy from the present applicant, who is running a medical shop.
6. Perusal of the First Information Report indicates that the articles allegedly used for effecting miscarriage were recovered from the possession of the main accused namely, Ajit Suresh Mastud. During the course of investigation, it has further surfaced that another co-accused - Narendra Bhagat is alleged to have supplied pills for termination of pregnancy after purchasing the same from the present applicant. It is thus contended that the role attributed to the present applicant is limited only to allegedly supplying certain pills without a valid prescription. No direct involvement in the commission of the alleged offence is made out.

7. A detailed scrutiny of the case diary is required, which is not available at this juncture.
8. Considering the submission of the learned counsel for the applicant, a case is made out for grant of ad-interim protection. Hence, the following order:

: ORDER :

- (a) Pending the application, in the event of arrest, applicant - **Imteehaj Mainuddin Atar** shall be released on bail upon furnishing a PR bond in the sum of Rs.25,000/- with one solvent surety in the like amount, in connection with Crime No.8 of 2026 registered with Barshi Taluka Police Station, District Solapur for the offences punishable under Sections 88, 91 r/w 3 (5) of the Bharatiya Nyaya Sanhita, 2023, Sections 3 (1), 3(3), 3A, 6 (a), 6 (b), 6 (c), 18 and 23 of the Pre-conception and Pre-Natal Diagnostic Techniques Act (Prohibition of Sex Selection) Act 1994 and Sections 3 and 4 of the Medical Termination of Pregnancy Act, 1971.
- (b) The applicant shall appear before the concerned Police Station on every Friday and Tuesday between 10.00 a.m and 12.00 noon for the next two weeks and co-operate in the investigation.

(c) The applicant shall not tamper with the prosecution evidence or threaten the prosecution witnesses in any manner.

9. List on 12th June, 2026.

[M. W. CHANDWANI, J.]