



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

84 BAIL APPLICATION NO. 1266 OF 2024

Sunil Kachru @ Vibhishan Lahamange

VERSUS

The State of Maharashtra and others

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Advocate for Applicant : Mr. Avinash N. Barhate Patil  
APP for Respondent Nos. 1 and 2: Mr. P.K. Lakhotiya  
Advocate for Respondent No.3 : Mr. R.R. Dhongde

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**CORAM : SHIVKUMAR DIGE, J.**  
**DATED : 5<sup>th</sup> AUGUST, 2024.**

**PER COURT :-**

1. The applicant is seeking regular bail in connection with crime No.167 of 2024 registered with Sangamner Taluka Police Station, district Ahmednagar, for the offences punishable under Sections 376(2)(F), 376(2)(N), 354-A, 506 of I.P.C. and Sections 4 and 6 of the Protection of Children from Sexual Offences Act.

2. It is the prosecution's case that the victim is sister-in-law of the applicant. On 31.12.2023, the applicant sexually assaulted the victim, at that time, she was 17 years and 03 months old. The informant victim lodged the report against the applicant.

3. It is the contention of the learned counsel for the applicant that the applicant has been falsely implicated in this case. The applicant

is behind bar for more than two months. The investigation is almost completed. The informant has no objection to grant bail to the applicant, hence requested to allow the application.

4. It is the contention of the learned APP that the applicant has sexually assaulted the informant. Learned A.P.P. further submitted that at the time of incident, the victim was below 18 years of age. If the applicant is released on bail, he may pressurize the informant and prosecution witnesses, hence requested to reject the application.

5. It is the contention of learned counsel for the respondent No.3 that the informant has no objection to allow the bail application. The offence was registered due to misunderstanding, hence, requested to allow the application.

6. I have heard all the learned counsel. Perused the F.I.R. and the police papers produced on record. The allegations against the applicant are that he had sexually assaulted the informant. The applicant is behind bar for more than two months. The investigation is completed. There is delay of 2 months and 3 days in lodging the F.I.R. At the time of incident, the informant was more than 17 years old. The informant has no objection to allow this application. Considering this fact, further detention of the applicant is not required

and I pass the following order :-

**ORDER**

- (i) The application is allowed.
  
- (ii) The applicant, in connection with crime No.167 of 2024 registered with Sangamner Taluka Police Station, district Ahmednagar, for the offences punishable under Sections 376(2)(F), 376(2)(N), 354-A, 506 of I.P.C. and Sections 4 and 6 of the Protection of Children from Sexual Offences Act, be released on executing personal bond in the sum of Rs.20,000/- with one surety of the like amount, on the following condition :-
  - a) The applicant shall not tamper with the prosecution evidence and shall not pressurize the prosecution witnesses, in any manner.

**(SHIVKUMAR DIGE, J.)**

rlj/