



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

22 BAIL APPLICATION NO. 184 OF 2025

VIJAY NIVRUTTI BARDE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicant : Mr. Uttam Laxmanrao Telgaonkar

APP for Respondent/State : Mr. S.K. Shirse

Advocate for Respondent 2 : Ms. Pooja Kishor Apache (appointed)

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 14/07/2025

P.C. :

1. Heard the learned counsel for the applicant, the learned APP for the respondent-State and Ms. Pooja Apache, learned counsel appointed for respondent No. 2.
2. The applicant is seeking bail as he was arrested in connection with Crime No. 109/024 dated 27.3.2024 registered with Kopargaon Taluka Police Station, District Ahmednagar for the offence punishable under section 376, 506 of I.P.C. and sections 4 and 6 of the Prevention of Children From Sexual Offences Act.
3. Crime is registered on the basis of FIR lodged by mother of the victim on 27.3.2024. At the relevant time the victim was of 7 years 3 months and 24 days old. In the FIR, it is stated that applicant had given Rs.10/- to the victim girl and had called the victim in his house. It is alleged that in the house, the applicant had committed penetrative sexual assault on the victim. There are two eye witnesses, who have seen the victim coming out of the house of the applicant on the relevant time. Thereafter, the victim has narrated the incident to her mother/informant. On the same day, F.I.R.

was lodged and victim was referred for medical examination. Clothes of the victim were sent to C.A. examination. In the C.A. report at front and back middle portion of the leggings of the victim few semen stains ranging from about 0.5 cm to 1 cm in diameter are found. As such, it is stated that sample of semens are sent further for DNA analysis.

4. On perusal of the above material on record that the two eye witnesses have seen the victim coming out of the house on the date of incident and from the C.A. report prima facie it appears that there is involvement of the applicant in the crime. Considering the same, the application is dismissed.

5. Legal Services Sub-Committee, High Court, Aurangabad Bench shall pay fees of Rs.10,000/- to the learned counsel appointed for respondent No.

2.

6. The application stands disposed of.

[ARUN R. PEDNEKER, J.]

SSC/