



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO. 332 OF 2025

. Sajid s/o Sadik Sayyad
Age: 45 years, Occu.: Labour,
R/o. Altaf Colony, Garkheda,
Dist.Aurangabad.Applicant

Versus

1. The State of Maharashtra
(Through Bidkin Police Station,
Aurangabad)Respondent

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Advocate for Applicant : Mr. Shaikh Sohail Subhedar

APP for Respondent no.1 : Mr.V.M.Jaware

Advocate for Respondent no.2 : Ms.Meenal S. Deshmukh (appointed)

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CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 11 MARCH, 2025

PRONOUNCED ON : 13 MARCH, 2025

ORDER :

1. Applicant seeks grant of regular bail on account of his arrest in crime no.0030 of 2025 registered at Bidkin Police Station, Dist.Aurangabad for offence under Sections 74, 75, 79 of the Bharatiya Nyaya Sanhita and under Sections 8, 12 of the Protection of Children from Sexual Offences Act (POCSO Act).

2. Pointing to the date of arrest of applicant as 12-01-2025,

learned counsel submits that there is delayed FIR. That, there was relation between present applicant and mother of victim. That, there is false implication. He further submitted that even if offence is proved, maximum sentence for the charges, which are levelled, is five years. That, no further recovery is shown to be made from applicant. He also places photograph on record in sealed envelop in support of his submission. On above grounds, learned counsel for applicant seeks relief of grant of bail.

3. Learned APP as well as learned counsel appointed to protect interest of informant have strongly opposed application by submitting that victim is a minor, her modesty has been outraged by taking disadvantage of her loneliness. That, victim has reported immediately to the neighbour as well as her mother. According to learned APP, investigation is still in progress and hence, on above grounds, bail application is opposed.

4. Heard. Perused the papers. Crime seems to have registered at the instance of mother of the victim. Victim is said to be of 15 years of age. Informant mother has reported that on 12-01-2025, her

husband left for work and she also left house in search of work. At around 10:30 hours, she claims to have received a phone call from her daughter informing that applicant, who was known to them, came to the house, enquired about parents, pulled the girl's hand and touched her breasts inappropriately and therefore, she raised shouts and went and informed neighbour namely Anjali Pawar. On above report, crime has been registered. Statements of victim as well as neighbour namely Anjali Pawar are on record. They are *prima facie* consistent. Investigation is said to be in progress. Though photograph of applicant and informant to show their relationship is placed on record, here *prima facie*, in view nature of charges levelled and as investigation is still in progress, this Court does not consider it a fit case to grant relief at this stage atleast. Hence, the following order :

ORDER

(I) Bail Application is rejected.

(II) The fees of the learned counsel appointed to represent respondent no.2 is to be paid through the High Court Legal Services Sub-Committee, Aurangabad.

(ABHAY S. WAGHWASE)
JUDGE