



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

25 BAIL APPLICATION NO. 415 OF 2025

BHAGWAN PANDITRAO AWCHAR
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mrs. Veer Sonalli Shrikant (Through Legal Aid)
APP for Respondent/State : Mr. N.D. Batule
Advocate for Respondent 2 : Mr. S.R. Andhale
...

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 Mr. S.R. Andhale, learned counsel for respondent No.
- 2.
2. The applicant is seeking bail as he was arrested in connection with Crime No. 237/2022 dated 10.06.2022 registered with Akhada Police Station, Balapur, Tq. Kalamnuri, Dist. Hingoli for the offence punishable under sections 354, 506 of I.P.C. and sections 10 and 12 of the Protection of Children From Sexual Offences Act and sections 3(1)(w)(i), 3(2)(5), 3(2)(v) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.
3. The learned counsel for the applicant submits that since last three years the applicant is behind bars and the maximum sentence punishable for the offence in this crime is up to seven years of imprisonment and the applicant has already undergone nearabout 50% of the sentence, if he is convicted and that would be imposed on him. The learned counsel, therefore, prays for releasing the applicant on regular bail.
4. The learned APP as well as the learned counsel appearing for

respondent No. 2 have strongly opposed the application for grant of bail on the ground that if the applicant is released on bail, he will create hindrance for the trial court to proceed further in the trial and pray for rejection of the application.

5. It is not disputed that the maximum sentence punishable for the offence in this crime is up to seven years imprisonment and the applicant is in jail for last more than three years. The report of the Sessions Court was also called as regards the present status of the matter. In the report of the Sessions Court, it is stated that the applicant has not cooperated with the trial and the applicant is insisting that evidence should be taken in his presence and whenever he was not brought to the court, the matter has been adjourned. In the report, the trial Court has also pointed out that there are large number of cases i.e. more than 1400 cases pending before the court and the trial Court is trying his level best to dispose of the matter as early as possible and one year is the required expected time to dispose of the matter. Considering the above aspect of the matter, it appears that the matter would not be completed in near future. The applicant is in jail since last three years. At present applicant is 59 years old and keeping the applicant behind bars till the conclusion of the trial would infringe his right of speedy trial. Considering all the above aspects of the matter, regular bail can be granted to the applicant by putting certain conditions on him.

6. In view of the above, the application is allowed in the following terms :

a] The applicant shall be released on bail in connection with Crime No. 237/2022 dated 10.06.2022 registered with Akhada Police Station, Balapur, Tq. Kalamnuri, Dist. Hingoli for the offence

punishable under sections 354, 506 of I.P.C. and sections 10 and 12 of the Protection of Children From Sexual Offences Act and sections 3(1)(w)(i), 3(2)(5), 3(2)(v) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, on furnishing PR bond of Rs.20,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

b] The applicant shall not enter the village Tondapur, Taluka Kalamnuri during pendency of the trial.

c] The applicant, upon being released on bail, shall not contact the informant, in any manner whatsoever, during the pendency of the trial.

d] The applicant shall co-operate with the trial Court and he shall attend each and every date, unless exempted by the trial Court, for reasons to be recorded in writing.

e] The applicant shall not tamper with the evidence of the prosecution and he shall not influence the informant, witnesses and other persons concerned with the case.

f] The applicant, upon being released on bail, shall place on record of the trial Court the details of his Contact Number and residential address with updates in case of any change.

7. Needless to say, in case of violation of any of the aforesaid conditions, the bail granted to the applicant shall be liable to be cancelled.

8. It is also clarified that the observations made in this order are limited to the disposal of the present bail application. The concerned Court shall proceed further in the matter without being influenced by the observations made hereinabove.

9. The application stands disposed of.

[ARUN R. PEDNEKER, J.]

SSC/