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

BAIL APPLICATION NO.434 OF 2025

Pavan S/o. Babasaheb Jadhav,
Age: 19 years, Occu.: Education.,
R/o. Gulkhand, Tq. Sailu,
Dist. Parbhani

... Applicant

Versus

1. The State of Maharashtra
Through : The Investigating Officer,
Police Station Mantha, Tq. Mantha,
District Jalna.

2. X Y Z

... Respondents

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Mr. Manish P. Tripathi, Advocate for Applicant
Mr. C.V. Bhadane, APP for Respondent No.1 – State
Mr. A.G. Jadhav, Advocate for Respondent No.2

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CORAM : ABHAY S. WAGHWASE, J.

RESERVED ON : 07 APRIL 2025

PRONOUNCED ON : 08 APRIL 2025

PER COURT :-

1. Present application is for grant of regular bail on account of arrest of applicant in Crime No.0036 of 2025, registered with Mantha Police Station, District Jalna for offences punishable under Sections 64(1), 137(2), 115(2), 352 r/w Section 5 and 3 of the Bharatiya Nyaya Sanhita (BNS) and under Sections 6, 8 and 12 of the Protection of Children from Sexual Offences (POCSO) Act.

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2. Pointing to the date of arrest of the applicant as 18.02.2025, it is submitted that, there is false implication. That, main allegations are against accused Jeevan. That, applicant being a friend of main accused, he is also involved. That, applicant has nothing to do with the girl. That, informant, who is said to be minor. That, the only role attributed to the applicant is that, he was with the main accused Jeevan and victim, when accused Jeevan took the victim on his motorcycle. That, in view of the above role, nothing is to be recovered or discovered from him. That, applicant is behind the bars since more than two months. That, as applicant is ready to abide all and any conditions imposed by this Court, and as applicant is preparing for NEET Examination, which is scheduled in May 2025, learned counsel urges for grant of bail.

3. Learned APP as well as learned counsel for the victim, both opposed on the ground that, applicant has been named in the FIR. That, applicant has helped the main accused in taking the girl away on the motorcycle. That, the girl is minor. That, there are allegations of sexual harassment. Therefore, charges being serious, and further apprehending misuse of liberty both the learned counsel opposed the bail application.

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4. Heard. Perused the papers. The victim, who gave her age as 16 years and 11 months, reported police that, she studied in 11th standard. She reported that, on 27.01.2025, while she was returning home, Jeevan Pralhad Pradhan approached her and asked her to accompany him. When she refused, it is alleged that he made a telephone call to the present applicant, who came on a motorcycle. It is further alleged that Jeevan forcibly lifted her and made her sit on the motorcycle of the applicant, after which she was taken to a field. There, she alleges that Jeevan committed forceful sexual relations with her against her wish. It is reported that, after the incident, she was again brought back on the motorcycle. She reported the above occurrence to her mother resulting into further approaching the police and lodged a report.

4. Apparently, applicant is named for bringing motorcycle, which was allegedly used by the main accused Jeevan for allegedly forcibly taking the girl towards the field, where it is alleged that, after threatening her, Jeevan committed forceful sexual relations with her.

5. Considering such role of the applicant, when main allegations are attributed against non-applicant Jeevan, and as

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nothing further is to be recovered or discovered at his instance, further investigation, if any, can be carried out by securing the presence of applicant and by imposing stringent conditions, application deserves to be allowed. Hence, the following order :

ORDER

- (i) Application is allowed.
- (ii) The applicant be released on bail in connection with Crime No.0036 of 2025, registered with Mantha Police Station, District Jalna on executing Personal Bond of Rs.15,000/- with one surety in the like amount on following conditions:
 - [a] The applicant shall not tamper prosecution evidence.
 - [b] The applicant shall not leave the area of jurisdiction of the concerned police station till conclusion of trial.
 - [c] The applicant shall attend the concerned police station once in a week i.e. on every Thursday between 10:00 a.m. to 02:00 p.m. till committal of case and thereafter, shall regularly attend each and every effective date before the trial court.

**ABHAY S. WAGHWASE,
JUDGE**