



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

921 BAIL APPLICATION NO. 510 OF 2025

Vilas Vinayak Mule
VERSUS
The State Of Maharashtra

...
Advocate for Applicant : Mr. Shinde Sunita R
APP for Respondents-State: Mr. D. J. Patil
Advocate for Informant : Mr. D. S. Patil (Appointed Through Legal Aid)

...
CORAM : ARUN R. PEDNEKER, J.

Dated : August 19, 2025.

PER COURT :-

1. Heard the learned counsel for the applicant, the learned APP for the respondent-State, and the learned appointed counsel for the informant.
2. The applicant is seeking bail in connection with FIR No. 0351/2023, dated 02/12/2023, registered at Paithan Police Station, Taluka Paithan, District Aurangabad, for offences punishable under Sections 376(2)(j), 376(2)(n), 376(3), 354-D, and 506 read with Section 34 of the Indian Penal Code, under Sections 4, 6, 8, and 12 of the *Protection of Children from Sexual Offences Act, 2012*, and under Sections 3(1)(w) and 3(2)(v) of the *Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989*.
3. The learned counsel for the applicant relies on the order dated 03/05/2024 passed by this Court in Bail Application No. 504/2024 and seeks bail on the ground of parity. The learned Counsel submit that the role attributed to the present applicant is identical to that of the co-accused who has been granted bail by this Court. However, it is noted from the statement of the victim's brother that the co-accused to whom bail is granted was standing outside while the present applicant allegedly committed forcible sexual assault on the victim.

4. It is also observed from the same bail order dated 03/05/2024 that the victim was of 15 years of age. The learned APP and the learned counsel for the informant have pointed out, relying upon the statement of the victim's mother and the school record, that the victim's date of birth is 26/01/2011, and the alleged incident occurred on 02/12/2023. Thus, at the time of the offence, the victim was under 13 years of age.

5. In light of this, and given the serious nature of the allegations, no case is made out for grant of bail on the ground of parity at this stage.

6. It is, however, noted that the applicant has been in custody since 02/12/2023. The prosecution is expected to take appropriate steps to conclude the trial expeditiously, preferably within a period of six months from today. In the event the trial is not concluded within the said time frame, the applicant is at liberty to apply afresh on the ground of violation of his right to a speedy trial.

7. In view of the above, the bail application stands dismissed.

8. The fees of the appointed advocate shall be paid by the High Court Legal Services Sub-Committee, Aurangabad, as per rules.

(ARUN R. PEDNEKER, J.)

vj gawade/-.