



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 559 OF 2025

Nishchal s/o Madhukar Bondar
Age : 20 years, Occupation : Education,
R/o : Vrundawan Colony, Dharashiv,
Taluka and District Dharashiv.

... Applicant
[Orig. Accused]

Versus

1. The State of Maharashtra
Through Police Station,
Anand Nagar Police Station,
Dharashiv.

2. XYZ

... Respondents

.....

Mr. S. G. Karlekar, Advocate for the Applicant.
Mr. P. K. Lakhotiya, APP for Respondent No.1-State.
Mr. S. R. Bagal and Mr. B. N. Gadegaonkar, Advocates for Respondent
No.2.

.....

CORAM : ABHAY S. WAGHWASE, J.

DATE : 03.04.2025

ORDER :

1. Applicant seeks his enlargement on regular bail in Crime No. 0407 of 2024 registered at Anandnagar Police Station, District Dharashiv for offences punishable under Sections 64, 64(2)(i), 65(2) of the Bharatiya Nyaya Sanhita (BNS) and Sections 4, 6, 8 and 12 of The Protection of Children From Sexual Offences Act, 2012 [POCSO Act].

2. It is pointed out that present applicant is a young boy of 20 years of age and is taking education in Bachelor of Computer Application (B.C.A.) course. According to learned counsel, present applicant's family and informant's family are immediate neighbours. That, informant's daughter aged three and half years happens to be friend of younger sister of applicant and as such, informant's daughter used to frequent their house to play. He further pointed out that, report is lodged with police alleging that on 18.12.2024, informant's daughter came to applicant's place and then returned back to her house around 9.30 p.m. and she allegedly made complaint of pain at the place of urination. That, informant mother claims to have come across blood stains and white discharge. Informant claims to have further learnt from her daughter that present applicant inserted finger in her private part. According to learned counsel, no report was lodged that night, nor the child was taken to hospital. That, on 19.12.2024 ie. next day around 22.33 hours, report was lodged levelling above allegations.

3. Learned counsel emphasized that applicant, who is student of B.C.A., is required to face examinations commencing from 05.04.2025. Therefore, to protect the academic interest of the applicant, who is keen in appearing for the exams, learned counsel

confines his prayers for temporary bail, reserving his right to agitate and press into service several grounds at later point of time, and he thereby seeks liberty to do so.

Consequently, at this juncture he confines his arguments for temporary bail during the period from 05.04.2025 to 25.04.2025, and seeks permission to amend prayers to that extent.

4. Learned APP opposed on the ground that serious offence is committed on a minor and he also apprehends misuse of liberty.

Learned counsel for informant, though opposed for grant of regular bail, fairly submitted that considering the academic interest of applicant, he also has no serious reservations for grant of temporary bail.

5. Heard. Leave to amend prayers granted. Amendment be carried out forthwith.

6. Perused the FIR and papers, including timetable of examination programme issued by Dr. Babasaheb Ambedkar Marathwada University, Chhatrapati Sambhajinagar for B.C.A. for the academic year April-May 2025.

7. In the light of limited prayer for temporary bail to enable the applicant face exams, and in view of no objection of learned counsel for the informant, applicant is directed to be released on temporary bail for the period commencing from 04.04.2025 to 25.04.2025.

Hence, I proceed to pass the following order :

ORDER

I. Prayer for temporary bail is hereby granted.

II. Applicant be released **forthwith** on temporary bail for the period from 04.04.2025 to 25.04.2025 in connection with Crime No. 0407 of 2024 registered at Anandnagar Police Station, District Dharashiv, on executing Personal Bond of Rs.25,000/- with one surety in the like amount, on the following conditions:

- [a] Applicant shall report Anandnagar Police Station, District Dharashiv every evening between 07.00 p.m. to 08.00 p.m. each day during temporary bail, i.e. since his release up to 25.04.2025.
- [b] Applicant shall surrender himself to the jail authorities in the morning of 26.04.2025.
- [c] Applicant shall not make contact with informant or her family and shall not misuse liberty during above period in any manner, which would be prejudicial to the interest of informant, victim and family.

III. The application is accordingly disposed off. The applicant shall be at liberty to file fresh bail application at later point of time.

IV. Parties to act on an authenticated copy of this order.

[ABHAY S. WAGHWASE, J.]

vre