



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

928 BAIL APPLICATION NO. 722 OF 2025

CHANDRAKANT ANKUSH KAKADE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Nilesh S. Ghanekar

APP for Respondent/State: Mr. S. K. Shirse

Advocate for Respondent No.2 : Ms. Pooja Kishor Apache
(Appointed)

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CORAM : ARUN R. PEDNEKER, J.

DATE : 08.07.2025

P.C. :

1] Heard.

2] The applicant is seeking bail as he was arrested on 18.12.2024 in connection with Crime No.370/2024, dated 17.12.2024, registered with Kranti Chowk Police Station, District Aurangabad, for the offences punishable under Sections 75(1), 78(1), 351(3) of the Bharatiya Nyaya Sanhita, 2023 & under Section 12 of the POCSO Act, 2012.

3] Earlier, this court by order dated 01.11.2023, passed in BA/1875/2023 had granted bail to the applicant in connection with Crime No.322/2023, registered with Cantonment (Chhawani) Police Station, District

Aurangabad for the offences punishable under Sections 363, 376(3), 354(d) of the IPC & Sections 6 and 12 of the POCSO Act, 2012.

It is further noticed that the applicant was 19 years of age and the love relations are there and that the bail was granted to the applicant on the condition that he shall not establish contact the informant / victim. Thereafter, he was on bail.

4] It is stated that the applicant committed present offence on 17.12.2024, wherein it is stated that the applicant caught hold the hand of the victim but in her 164 statement it is stated that he caught her bag and gave threat. As such, the present offence is registered. The applicant is in custody from 18.12.2024. The offences are maximum punishable up till 5 years of imprisonment.

5] The learned counsel for the applicant submits that the applicant's mother is transferred to Malkapur, District Buldhana and the applicant undertakes that he would not establish contact with the victim. He has also given an undertaking to that effect and specifically states that he would not enter the jurisdiction of the Aurangabad district except on the date of the trial and further undertakes that he would not establish contact with the victim.

6] Considering the undertaking given by the applicant and considering that he is of young age and he is in custody from 18.12.2024 and that the charge-sheet is also filed, the applicant can be granted bail.

7] The learned counsel appointed to represent the cause of the victim / Respondent No.2 shall be paid fees of Rs.10,000/- by the High Court Legal Services Subcommittee, Aurangabad.

8] 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.370/2024, dated 17.12.2024, registered with Kranti Chowk Police Station, District Aurangabad, for the offences punishable under Sections 75(1), 78(1), 351(3) of the Bharatiya Nyaya Sanhita, 2023 & under Section 12 of the POCSO Act, 2012, 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 jurisdiction of the Aurangabad district except on the date of the trial, 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.

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.

9] 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.

10] 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.

11] The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

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