



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

945 BAIL APPLICATION NO. 898 OF 2025

AMOL PREMDAS PAWAR

VERSUS

THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Harshwardhan Akolkar

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

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CORAM : ARUN R. PEDNEKER, J.

DATE : 11.07.2025

P.C. :

1] Heard learned counsel for the applicant and the learned APP for the respondent-State.

2] The applicant is seeking bail as he was arrested on 09.12.2024 in connection with Crime No.0712/2024, dated 05.12.2024, registered with Udgir Rural Police Station, District Latur, for the offences punishable under Sections 70(1), 64, 64(m), 118(1), 115(2), 351(3) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3] It is stated by the informant in the FIR that she was induced by one Sunil Jadhav as they were knowing each other to travel from Pune to Udgir on assurance that

she would be given job. It is stated that the informant along with her husband reached Udgir and then she was taken on motorcycle by Sunil Jadhav so as to meet factory owner to give her job. It is stated that while she was taken on motorcycle on the way she was taken in the bushes where Sunil Jadhav had forcibly intercourse with the victim. It is also stated that at that time there were 2 unknown friends of Sunil Jadhav came there and assaulted her and threatened her that she should not ask for Rs.70,000/- from Sunil Jadhav and if she does so she would face consequences. Such a statement was recorded on 04.12.2024.

4. It is stated that in her supplementary statement dated 05.12.2024, she has stated that apart from assault from unknown persons (one is the present applicant), the unknown persons had forceful sexual intercourse with her.

Thereafter, another supplementary statement of the informant is recorded on 10.12.2024, wherein she has reiterated her earlier statement dated 04.12.2024 and has not mentioned that the applicant (unknown accused) had forceful sexual intercourse with the informant.

Her 183 BNSS statement is also recorded, wherein she has stated that she has been assaulted by the applicant and another unknown person. However, there is no mention of any sexual intercourse at the instance of the applicant and another unknown person.

5. The learned counsel submits that highest it can be said that the applicant has assaulted the informant / victim and she has suffered contusions / simple injuries. The applicant is in custody from 09.12.2024. The charge-sheet is filed in the matter and that the applicant may be granted bail.

6. The learned APP submits that considering the gravity of the offence bail should not be granted to the applicant.

7. However, looking at the statement of the victim that the applicant has not maintained any forceful sexual intercourse and the same has not been disputed by the learned APP, considering this aspect and the allegation against the applicant is that he has assaulted the informant and the injuries are simple in nature and the investigation is complete, charge-sheet is filed and that the trial would take substantial time to complete, the applicant can be granted bail.

8. The learned APP points out that the applicant is of another State, as such, the applicant may be directed to provide local sureties.

9. 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.0712/2024, registered with Udgir Rural Police Station, District Latur, for the offences punishable under Sections 70(1), 64, 64(m), 118(1), 115(2), 351(3) read with 3(5) of the Bharatiya Nyaya Sanhita, 2023, on furnishing PR bond of Rs.20,000/- with one or two local sureties in the like amount to the satisfaction of the trial Court.

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

c] The applicant shall co-operate with the trial Court and he shall attend each and every date, unless exempted by the trial Court.

d] 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.

e] 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.

f] The applicant shall attend the concerned police station once in 6 months.

10. 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.

11. 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.

12. The application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE

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