



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

35 BAIL APPLICATION NO. 947 OF 2025

**RAJU PRAKASH KALE
VERSUS
THE STATE OF MAHARASHTRA & ANOTHER**

...
Advocate for Applicant : Mr.P.A.Salve
APP for Respondent-State : Mr.P.P.Dawalkar
Advocate for Respondent no.2 : Ms. Mayur S. Hange
...

**CORAM : ARUN R. PEDNEKER, J.
DATE : 28.07.2025**

P.C. :

1] Heard learned counsel for the applicant, the learned APP for the respondent-State and the learned counsel for respondent no.2.

2] The applicant is seeking bail as he is arrested on 31.12.2023 in connection with Crime No. 1114/2023, registered with MIDC Waluj Police Station, for the offence punishable under Sections 363, 366-A, 376 (2)(i), 354-A, 506 of IPC and under Sections 4, 8, 12 of the POCSO Act.

3] The learned counsel for the applicant submits that even if the statement of victim is taken as it is, there is doubt as regards alleged incident. He further submits that

the applicant is in jail from 31.12.2023. He further submits that there are 16 witnesses in the matter and the matter is fixed for framing charge before the trial Court and that the trial Court may take substantial time to conclude trial. He further submits that the applicant is ready to stay away from the village Ranjangaon. As such, bail should be granted in favour of the applicant.

4] The learned APP submits that the applicant is involved in the alleged crime, as such, bail should not be granted in favour of the applicant.

5] Considering that the applicant is in custody from 31.12.2023 and the trial Court may take substantial time to conclude the trial, so also, there is no clear statement of victim of penetrative sexual assault. Considering this aspect of the matter, the applicant is granted bail. The application is allowed in the following terms :

a] The applicant shall be released on bail in connection with Crime No. 1114/2023, registered with MIDC Waluj Police Station, for the offence punishable under Sections 363, 366-A, 376 (2)(i), 354-A, 506 of IPC and under Sections 4, 8, 12 of the POCSO Act, 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 village Ranjangaon, 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.

6] 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. 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.

7] The application stands disposed of.

8] Ms.Mayur S. Hange, learned counsel appointed by this Court to represent the cause of respondent no.2, shall be paid fees of Rs.10,000/- by the High Court Legal Aid Services Sub-Committee, Aurangabad.

[ARUN R. PEDNEKER]
JUDGE

DDC