



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

938 BAIL APPLICATION NO. 1230 OF 2025

Sagar Ganesh Jadhav

VERSUS

The State Of Maharashtra And Another

...

Advocate for Applicant : Mr. Surse Sunil B

APP for Respondents-State: Mr. D. J. Patil

Advocate for Respondent No.2 : Ms. Smita Chole (Kendre) (Appointed)

...

CORAM : ARUN R. PEDNEKER, J.

Dated : July 29, 2025.

PER COURT :-

1. Heard learned counsel for the applicant, the learned APP for the respondent-State, and the learned appointed Counsel for respondent No.2.
2. The applicant is seeking bail as he was arrested in connection with FIR No.60/2025, registered with Pishor Police Station, District Chhatrapati Sambhajnagar, for the offences punishable under sections 137(2), 64, 64(2) (I), 65(1) of Bharatiya Nyaya Sanhita and under Section 4, 6, 12 of POCSO Act.
3. The applicant is in custody since 04/03/2025. Perusal of the statement of the victim recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita (BNSS) reveals that she herself left her house along with the applicant. At the time of the alleged offence, the applicant was 23 years old, while the victim was aged 13 years, 7 months, and 23 days.
4. The learned Counsel for the applicant seeks grant of bail, submitting that the victim voluntarily left the house and accompanied the applicant, which is also reflected in her statement. On the other hand, the learned APP

and the learned appointed Counsel for respondent No.2 oppose the bail application on the ground that, although the victim left on her own, she is a minor, and therefore, the applicant is *prima facie* responsible for the alleged offence.

5. Considering the overall circumstances, particularly the fact that the applicant is in custody since 04/03/2025, the statement of the victim recorded under Section 183 of the BNSS indicating that she voluntarily accompanied the applicant, and the fact that the trial is likely to take considerable time to conclude, this Court is of the opinion that the applicant deserves to be released on bail.

6. In view of the above, the application is allowed in the following terms: -

a] The applicant shall be released on bail in connection with FIR No.60/2025, registered with Pishor Police Station, District Chhatrapati Sambhajnagar, for the offences punishable under sections 137(2), 64, 64(2)(I), 65(1) of Bharatiya Nyaya Sanhita and under Section 4, 6, 12 of POCSO Act, on furnishing PR bond of Rs.25000/- with one or two 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.

7. 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.

8. Fees of the appointed advocate is quantified at Rs.10,000/- (in words rupees ten thousand only), to be paid by High Court Legal Services Sub-Committee, Aurangabad.

9. The application stands disposed of.

(ARUN R. PEDNEKER, J.)

vj gawade/-.