

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

948 BAIL APPLICATION NO. 1231 OF 2025

PAPPU ALIAS SHSUBHAM BAPU PATIL
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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949 BAIL APPLICATION NO. 1242 OF 2025

BHAVSHYA ALIAS BHAUSAHEB VASANT PATIL
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicants : Ms. Agrawal Rani Kailas
APP for Respondent/State : Mrs. P.V. Diggikar
Advocate for respondent No. 2 : Ms. Meenal S. Deshmukh

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CORAM : ARUN R. PEDNEKER, J.

DATE : 25/07/2025

P.C. :

1. Heard the learned counsel for the applicants, the learned APP for the respondent-State and Ms. Meenal S. Deshmukh, learned advocate appearing for respondent No. 2 in both the matters.
2. The applicants in both the matters are seeking bail as they are arrested in connection with Crime No. 119/2023 dated 16.4.2023 registered with Parola Police Station, Tq. Parola, District Jalgaon for the offences punishable under sections 376(D), 354, 501, 34 of IPC, section 4, 5(n), 12, 8 of Protection of Children From Sexual Offence Act and section 3(1)(r)(s), 3(1)(w)(i)(ii), 3(2)(v-a) Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.
3. The learned counsel for the applicants submits that the applicants are arrested on 16.4.2023 and since then they are behind bars. The learned counsel submits that the co-accused in this crime is released on bail by this Court vide **order dated 25.6.2025 in B.A. No. 402/2025**. The learned counsel submits that considering that the victim and her mother has given no

objection, regular bail may be granted to the applicants.

4. The learned counsel appearing for the victim/respondent No. 2 submits that parties have compromised the matter and victim and her mother have filed affidavit that they have no objection to grant bail in favour of the applicants.

5. The learned APP strongly opposed the application by submitting that the victim cannot resile from her earlier statement made in the FIR as the victim has received compensation of Rs. 3,00,000/- and the victim should have stood by her earlier statement. The learned APP submits that in the FIR, serious allegations of gang rape are made against the applicants. The learned APP therefore prays to reject the applications.

6. Having considered the above submissions and having perused the police papers, it appears that parties have compromised the matter and the victim and her mother have no objection to grant bail to the present applicants. Considering that the applicants are in jail since last two and half years and it is not known when the trial would conclude, no purpose would be served by keeping the applicants behind bars till the conclusion of the trial. The State is at liberty to take appropriate action against the victim as may be available in law. Considering all above, I deem it appropriate to grant regular bail to the applicants.

7. In view of the above, both the applications are allowed in the following terms :

a] The applicants shall be released on bail in connection with Crime No. 119/2023 dated 16.4.2023 registered with Parola Police Station, Tq. Parola, District Jalgaon for the offences punishable under sections 376(D), 354, 501, 34 of IPC, section 4, 5(n), 12, 8 of Protection of Children From Sexual Offence Act and section 3(1)(r)(s), 3(1)(w)(i)(ii),

3(2)(v-a) Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, on furnishing PR bond of Rs.20,000/- each with one or two sureties in the like amount to the satisfaction of the trial Court.

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

c] The applicants shall co-operate with the trial Court and he shall attend each and every date, unless exempted by the trial Court, for reasons to be recorded in writing.

d] The applicants 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 applicants, 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.

8. Needless to say, in case of violation of any of the aforesaid conditions, the bail granted to the applicants shall be liable to be cancelled.

9. 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.

10. The State is also at liberty to take appropriate actions against the victim as are available in law and consequences of the action of the victim would be determined at the end of trial by the trial Court.

11. The applications stand disposed of.

[ARUN R. PEDNEKER, J.]

