



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

916 BAIL APPLICATION NO. 1488 OF 2025

RAVINDRA ALIAS BAPU ARJUNSINGH RAJPUT
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...

Mr. D. B. Thoke, Advocate for Applicant
Mr. K. K. Naik, APP for Respondent/State

...

**WITH
BAIL APPLICATION NO. 1378 OF 2025**

KEVALSING ALIAS SANJU JAYSING KACHVAA
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...

Mr. Abhaysinh K. Bhosle, Advocate for Applicant
Mr. K. K. Naik, APP for Respondent/State
Mr. Chaitanya Deshpande h/for Mr. Falguni Milind Kulkarni, Advocate for
Respondent No.2

....

CORAM : SANJAY A. DESHMUKH, J.

DATE : 24.09.2025

PER COURT :-

1. Heard.
2. These are applications for granting regular bail under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023, in connection with Crime No.53 of 2024, registered at Chalisgaon Police Station, District Jalgaon, for the offences punishable under Sections 376(2)(J), 376(DA) of the Indian Penal Code, 1860 and Sections 3(a), 4(2), 5(g), 6, 16, 17 of POCSO Act 2012.
3. The applicants have been arrested for committing sexual assault

and violence against the informant, a 14 year old girl, for the offences punishable under Sections 376(2)(J), 376(DA) of the Indian Penal Code, 1860 and Sections 3(a), 4(2), 5(g), 6, 16, 17 of POCSO Act 2012.

4. The informant averred in the report that the applicants had frequently committed sexual violence against her will by force and therefore, she lodged the report.

5. The learned Advocates for the applicants submitted that the prosecutrix and other witnesses have not supported the prosecution during the trial. Their depositions are on record. From that depositions, it is clearly established that the prosecutrix has not supported the prosecution and has turned hostile. Therefore, both advocates appearing for the applicants prayed that bail be granted, as there is no possibility of commission of the alleged offence by the applicants. The learned advocates for the applicants relied upon the authorities of ***Hiraman Alias Anil Baban Bankar Vs. The State of Maharashtra***, Interim application No.159 of 2023 in Criminal Appeal No.341 of 2022, decided on 08.08.2025 and ***Natwarlal Alias Rajkumar Soni Vs. The State of Rajasthan***, Criminal Miscellaneous Bail Application No.1826 of 2025, decided on 20.03.2025. They lastly prayed to allow the applications.

6. The learned APP for the State strongly opposed the application and submitted that the applicants are involved in a serious crime and that their earlier bail applications have already been rejected. It is lastly prayed to reject the applications.

7. The learned advocate for respondent No.2 submitted that he has no objection if the applications are allowed.

8. Perused the charge sheet, particularly the depositions of the prosecutrix and other witnesses. The prosecutrix has turned hostile and has denied the occurrence of alleged incident of rape and sexual violence committed upon her. Considering this aspect, along with the ratio laid down in the authorities relied upon by the learned advocates for the applicants, it would be proper to allow the applications. Hence, the following order:

::ORDER::

I. The applications are allowed.

II. The applicants, in connection with Crime No.53 of 2024 registered at Chalisgaon Police Station, District Jalgaon, for the offences punishable under Sections 376(2)(J), 376(DA) of the Indian Penal Code, 1860 and Sections 3(a), 4(2), 5(g), 6, 16, 17 of POCSO Act 2012, be released on bail on furnishing personal bond of Rs.25,000/- each with one surety each of the like amount on following conditions:-

a) The applicants shall not tamper with the prosecution evidence and shall not pressurize the witnesses, in any manner.

[SANJAY A. DESHMUKH, J.]

HRJadhav