



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 1412 OF 2025

SANDIP MANIK SARASE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Pankaj A. Bharat

APP for Respondents-State : Ms. D. S. Jape

Advocate for Respondent No. 3 : Mr. Sultana Rahim Khan
(Appointed)

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CORAM : SACHIN S. DESHMUKH, J.

Date : 2nd December, 2025

PER COURT :-

1. The applicant has approached this Court seeking regular bail in connection with FIR bearing Crime No. 781 of 2024 registered with Shevgaon Police Station for the offences punishable under Sections 64, 65(1) and 351(3) of Bhartiya Nyaya Sanhita, 2023 and Sections 4, 8 and 12 of Protection of Children from Sexual Offences Act, 2012.

2. Heard the learned counsel for the applicant, learned APP for the State and learned counsel representing on behalf of respondent No. 3.

3. Perusal of the record indicates that the victim and the

applicant / accused were in contact with each other for about two months prior to the alleged incident through social media. Allegedly, the accused messaged the victim indicating love and desire to marry the victim. Eventually, the accused requested the victim to meet to which the victim agreed. On date of incident, when the victim met accused, the applicant to have committed alleged sexual intercourse with the victim without her consent.

4. It is pertinent to note that the victim is of 16 years of age and is studies in 10th standard. Admittedly, the victim was in contact with the applicant for around two months and no reluctance is reflected on record regarding the meeting with accused. Moreover, the FIR is lodged only when the father of the victim came to know about the incident.

5. Therefore, in my considered view, the material indicates that the victim has consciously / voluntarily joined the company of the accused and at her own volition, decided to meet the accused at a secluded place.

6. Apart from the aforesaid aspect, the investigation of the case has been completed and eventually the charge-sheet is

filed. Moreover, the accused has no criminal antecedents. Therefore, continued incarceration would serve no purpose.

7. Considering the peculiar facts and circumstances of the case, the right to personal liberty of the applicant needs to be upheld by imposing stringent conditions. In that view of the matter, the applicant deserves to be released on bail.

8. The High Court Legal Services Sub-Committee, High Court Bench at Aurangabad, to pay the fees to the learned counsel appointed on behalf of respondent No. 2, as per rules.

9. In the result, following order is passed :-

ORDER

(I) Application is **allowed**.

(II) Applicant – Sandip Manik Sarase be released on regular bail on furnishing P.R. bond of Rs. 50,000/- (Fifty Thousand Only) with one or two local solvent sureties in the like amount, in connection with Crime No. 781 of 2024 registered with Shevgaon Police Station for the offences punishable under Sections 64, 65(1) and 351(3) of Bhartiya Nyaya Sanhita, 2023 and Sections 4, 8 and 12 of Protection of Children from Sexual Offences Act, 2012, on the

following conditions :-

- (a) The applicant shall attend each and every date of the Trial Court unless exempted by the Trial Court.
- (b) The applicant shall not enter into the village Kharadgaon, Tq. Shevgaon, till conclusion of trial.
- (c) The Applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
- (d) The applicant shall submit his Aadhar and Pan Card to the Investigation Officer and detailed addresses and phone numbers of applicant and two of the near relatives.

(SACHIN S. DESHMUKH, J.)

Omkar Joshi