



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

BAIL APPLICATION NO. 1439 OF 2025

TRILOK MANOHAR PALIMKAR
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Applicant : Mr. Sudarshan J. Salunke
APP for Respondents No.1 and 2 : Ms. D. S. Jape
Advocate for Respondent No.3 : Ms. Shilpa D. Magre and
Mr. Arunkumar A. Suryawanshi
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CORAM : SACHIN S. DESHMUKH, J.

DATE : 17-12-2025

PER COURT:-

1. The applicant seeks regular bail in connection with Crime No.0358 of 2024 dated 22.10.2024 registered with Police Station Loha, District Nanded, for the offences punishable under Sections 64(1), 64(2)(f), 64(2)(i), 64(2)(m), 65(1), 64 of the Bharatiya Nyaya Sanhita, 2023 and Sections 4, 6, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012.

2. The prosecution case is that the informant resides with her husband and children. On 21.10.2024 at about 9.30 p.m. the informant found the victim crying. The informant took the victim in confidence and the victim disclosed that the applicant, her cousin grandfather, was harassing her for past two months. The victim further disclosed that the applicant on two occasions established physical relations with her. Based on these disclosures, the report is filed.

3. The learned counsel for the applicant submits that the First Information Report was filed after an unexplained delay. The applicant had provided a hand loan to the informant, and when the informant failed to repay it, this false case was registered out of spite. The allegations are fabricated. There are significant contradictions in the statements provided by the victim and witnesses to the police, the Magistrate, and the doctor. Therefore prayed for the application to be allowed.

4. The learned A.P.P. has opposed the application, vehemently submitting that the offense is serious and heinous in nature, involving physical assault against a minor barely thirteen years old. If the applicant, who is a close relative, is released, there is a strong possibility of tampering with the evidence. Hence, prayed to reject the application.

5. Perusal of the record *prima facie* indicates material contradictions regarding the genesis of the occurrence. Since, the victim initially stated her residence as the scene of the incident, whereas the complainant's supplementary statement shifted the location to the house of the applicant's friend. Furthermore, the medical examination and the Forensic Science Laboratory report fails to indicate corroboration for the specific allegations made in the FIR. The inconsistencies in the location of the offense and the lack of corroboration with forensic report create doubt, at this stage, warranting consideration of this application.

6. The investigation is complete for all intent and purpose, resultantly, the chargesheet is filed. Having regard to the number of the accused and the witnesses which the prosecution proposes to examine, it is very unlikely that the trial can be commenced and concluded within a reasonable period. As such, further detention of the applicant as an under-trial prisoner, in the circumstances of the case does not seem to be either warranted or justifiable. I am, therefore, persuaded to exercise the discretion in favour of the applicant.

7. Hence, the following order:-

ORDER

- (i) Bail application is allowed.
- (ii) Applicant, Tirlok Manohar Palimkar, be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only), with one solvent surety of the like amount in Crime No.0358 of 2024 dated 22.10.2024 registered with Police Station Loha, District Nanded, for the offences punishable under Sections 64(1), 64(2)(f), 64(2)(i), 64(2)(m), 65(1), 64 of the Bharatiya Nyaya Sanhita, 2023 and Sections 4, 6, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012, on the conditions that;
 - (a) The applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.

- (b) The applicant shall attend the trial on each and every date unless exempted by the trial Court.
 - (c) The applicant shall submit his Aadhar and Pan Cards to the Investigation Officer and detailed addresses and phone numbers of applicant and two of the near relatives.
 - (d) In case of breach of any of the conditions by the applicant, it is open for the Prosecution to move this Court seeking cancellation of bail.
- (iii) Needless to state that the observations rendered herein are to the extent of this application and the trial court shall not be influenced by the same.

[SACHIN S. DESHMUKH, J.]

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