



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

**BAIL APPLICATION NO. 1457 OF 2025**

**ABHIMANYU RAMRO SHINDE  
VERSUS  
THE STATE OF MAHARASHTRA AND OTHERS**

...  
Advocate for Applicant : Mr. Shekade Shashikant E.  
APP for Respondent/State : Mr. K.K. Naik  
Advocate for Respondent No.3 : Ms. Akshara S. Madake

...  
**CORAM : SANJAY A. DESHMUKH, J.  
DATED : 30<sup>th</sup> SEPTEMBER, 2025.**

**PER COURT :-**

1. This is an application for granting regular bail under section 483 of Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 in connection with Crime No.254 of 2025 registered with Aasti Police Station, District Beed, for the offences punishable under Sections 137(2), 65(1), 64(1) of BNSS and under Section 4, 6, 8, 12, 17 of the Protection of Children from Sexual Offences Act, 2012 (POCSO).
2. The learned advocate for the applicant pointed out to the Court that it is averred that the daughter of the informant had eloped with the applicant as there was a love affair between the applicant and the prosecutrix, who is 15 years old. They both visited various places together, however, the daughter of the informant neither raised any objection nor made any hue and cry during the alleged

incident of aggravated sexual assault.

3. The learned advocate submitted that the applicant has roots in the society. There is no criminal antecedents. He will not flee away from the trial. The trial will take a long period. It is lastly prayed to grant the bail.

4. Learned A.P.P. for the respondent – State, assisted by learned advocate has strongly oppose the application. He submits that applicant is involved in the serious crime. He eloped the daughter of informant. She is a child as defined in the POCSO Act. Statement of daughter of informant is recorded before the Magistrate and during the medical examination of the daughter of informant she has stated that one incident of aggravated sexual assault took place. It is pointed out that applicant and the daughter of informant are residing in a same village, therefore, happening of same nature of crime on the part of this applicant cannot be ruled out. It is lastly prayed to reject the application.

5. Perused the charge sheet, particularly the statement of the prosecutrix and the report of medical examination. Though the victim girl had not stated any incident of aggravated sexual assault on her in her statement before the Police and the Judicial Magistrate, she had stated history during her medical examination that one incident of aggravated sexual assault took place. The practical investigation is over. It is not established that applicant has forced

the daughter of informant. It is case of love between the applicant and the daughter of informant. Therefore, as per the case of ***Sunil Mahadev Patil Vs. the State of Maharashtra*** ; [(BA No.1036/2015, decided on 03.08.2025 (Principal Seat of Bombay High Court)] and the applicant has roots in the society, he will not flee away from the trial, the further custody of the applicant is not necessary. The application, therefore, deserves to be allowed on certain conditions. Hence, the following order.

### **ORDER**

- I. Application is allowed.
- II. The applicant in connection with Crime No.254 of 2025 registered with Aasti Police Station, District Beed, be released on bail on furnishing personal bond of Rs.25,000/- with one surety of the like amount on following conditions :-
  - a) The applicant shall not tamper with the prosecution evidence and shall not pressurize the witnesses, in any manner.
  - b) The applicant shall not enter in village Kerulo and village Sheri, till the conclusion of the trial.
  - c) If the informant or the daughter is pressurized by applicant or his relatives and if it is found that he has committed any breach of the above conditions, the informant, investigating officer conducting case, is at

liberty to file an application before the trial court for cancellation of the bail of this applicant. The learned trial court shall proceed further to decide such application on merits even though bail is granted by this Court.

- d) Fees of learned advocate appointed to represent respondent No.2 shall be paid by the Legal Services Authority, High Court, Aurangabad as per Rules.

**(SANJAY A. DESHMUKH, J.)**

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