



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

BAIL APPLICATION NO. 1538 OF 2025

SANTOSH ASHOK THENGE

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Nilesh S. Ghanekar

APP for Respondent No.1: Mr. S. M. Ganachari

Advocate for Respondent No.2 : Mr. Sultana Rahim Khan
(Appointed)

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CORAM : SACHIN S. DESHMUKH, J.

DATE : 03-12-2025

PER COURT:-

1. The applicant is seeking regular bail in Crime No.103 of 2025 registered with Nanalpeth Police Station, District Parbhani, dated 15.03.2025, for the offences punishable under Sections 64, 65(1), 135 of the Bharatiya Nyaya Sanhita, 2023 and Sections 4 and 12 of the Protection of Children from Sexual Offences Act, 2012. In connection with said crime, the applicant is arrested on 15.03.2025.

2. Heard the learned counsel for the applicant, the learned A.P.P. for respondent No.1 and the learned counsel appointed for respondent No.2. Perused the chargesheet made available.

3. Perusal of the record indicates that it was the victim who initially called on the cell phone of the accused and proceeded to meet. Thereafter also, participated in the alleged physical assault. As such, the participation of the victim appears to be willful and conscious.

4. Furthermore, the chargesheet is filed. Hence, the further custody of the applicant is not warranted and can be released on bail by imposing stringent conditions. Hence, the order:-

ORDER

- (i) Bail application is allowed.
- (ii) Applicant Santosh Ashok Thenge be released on bail, on furnishing PB and SB of Rs.50,000/-, with one solvent surety of the like amount, in Crime No.103 of 2025 registered with Nanalpeth Police Station, District Parbhani, dated 15.03.2025, for the offences punishable under Sections 64, 65(1), 135 of the Bharatiya Nyaya Sanhita, 2023 and Sections 4 and 12 of the Protection of Children from Sexual Offences Act, 2012, on the conditions that,
 - (a) The applicant shall not tamper with the prosecution witnesses.
 - (b) The applicant shall attend the trial on each and every date unless exempted by the trial Court.
 - (c) The applicant shall not enter the jurisdiction of Nanalpeth, District Parbhani, till conclusion of the trial.
 - (d) The applicant shall furnish address with mobile numbers and would not change it till conclusion of the trial.

- (iii) The Secretary, High Court Legal Services Sub-Committee, Aurangabad do pay the fees of the appointed counsel for respondent no.2/victim as per schedule.
- (iv) Needless to states 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]
JUDGE

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