



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

916 BAIL APPLICATION NO. 1544 OF 2025

**RAJARAM ALIAS RAJU BAPURAO YEWALE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

...
Advocate for Applicant : Mr. Sushant Baburao Choudhari
APP for Respondent/State : Mr. K.K. Naik
Advocate for Respondent No.2 : Mr. D.M. Shinde
...

**CORAM : SANJAY A. DESHMUKH, J.
DATED : 09th OCTOBER, 2025.**

PER COURT :-

1. This is an application for granting bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 in connection with the Crime No.67/2025, registered with Pimpaldari Police Station, District Parbhani for the offences punishable under Sections 107, 75, 78 of the Bharatiya Nyaya Sanhita (BNS), 2023 and under Sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012 (POCSO).

2. Learned advocate for the applicant pointed out from the report in which informant averred that victim girl was 17 years old. She was harassed by the applicant one year before the alleged incident. When she narrate this incident to the informant a meeting was called and the brother of the applicant assured in the meeting that he will convince the applicant.

3. The Informant further averred that on 14.05.2025, the victim child consumed the poison and attempted to commit suicide. She was then taken to the hospital. As soon as informant met her, she made the oral dying declaration that applicant harassed her by saying some obscene words. She along with her sister were there. Thereafter, victim child became unconscious and when she was admitted in the Civil Hospital Parbhani, she died.

4. Learned advocate for the applicant pointed out A.D. report given by the Dattaraj Guru Kaneraj Panjabi one of the devotee of the Ashram. In the A.D. Dattaraj Guru stated that victim child was failed in the S.C.C. examination and she went into frustration and thereafter, she committed suicide by consuming poison. Learned advocate for the applicant submitted that Dattaraj Guru changed his version while recording his statement before the Police. After two days of the registration of the A.D. he has stated the same fact as stated by the informant. The A.D. given by Dattaraj Guru is natural and first in time.

5. The learned advocate for the applicant submitted that the applicant has roots in the society. He will not flee away from the trial. The trial will take a long period and, therefore, prayed to allow the application.

6. The Learned APP for the respondent-State, and the learned advocate for the respondent No.2 strongly opposed the

application and submitted that applicant is involved in the serious crime. Applicant has harassed the victim girl. The A.D. report of Dattaraj Guru is not in accordance with the real fact occurred with the victim child. There are statements of the witnesses and oral dying declaration made by the victim child to the informant and other witnesses. The sister of victim child was present when the applicant sexually harassed her and particularly said her to meet him. Considering all these aspects, it is lastly prayed to reject the application.

5. Perused the charge-sheet, particularly the A.D. report, postmortem report and statement of witnesses. The A.D. report is first in time in which it is clearly stated that victim child failed in the S.C.C. examination. The result was declared on 13.05.2025. The incident of suicide took place on 14.05.2025. The report is lodged on 16.05.2025. The mark-sheet of the victim child is placed on record shows that except the Hindi, science and technology and social science, in all other subjects she had failed. Considering all these aspects and the fact that applicant has roots in the society, he will not flee away from the trial and the trial will take a long period, the application deserves to be allowed on certain conditions. Hence, the following order.

O R D E R

- I. The Application is allowed.
- II. The applicant in connection with Crime No.67/2025, registered with Pimpaldari Police Station, District Parbhani be released on bail on furnishing personal bond of Rs.50,000/- 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) If any incident of pressurizing the prosecution witnesses occurs and it is brought to the notice of the trial court, the trial court is at liberty to proceed further for cancellation of bail granted to the applicant even though it is granted by this Court.

(SANJAY A. DESHMUKH, J.)

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