



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 1702 OF 2025

UMESH KESHAVRAO DABHADE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

Advocate for Applicant : Mr. Shashikant E. Shekade
APP for Respondents-State : Ms. R. R. Tandale
Advocate for Respondent No. 3 : Mr. V. M. Vibhute (Appointed)

CORAM : SACHIN S. DESHMUKH, J.

Date : 18th December, 2025

ORDER :-

1. The applicant has approached this Court seeking regular bail in connection with FIR dated 15.03.2025 bearing Crime No. 92 of 2025 registered with Talwada Police Station, Tq. Georai, Dist. Beed for the offences punishable under Sections 137(2), 64(2)(i), 64(2)(m), 75 and 78 of Bharatiya Nyaya Sanhita, 2023 and Section 4 of the Protection of Children from Sexual Offences Act, 2012.

2. It is the case of the prosecution that the Informant the victim's father reported the incident. He stated that on 14.03.2025 at about 2:30 p.m., he and his wife went to his wife's parents' house. When they met his mother-in-law, she inquired about the

informant's daughter, who was not at the house. They searched for her in the vicinity. Thereafter, the informant suspected that the present applicant—who had become acquainted with the victim when they were working as sugarcane cutting laborers at Sangli—must have kidnapped her. Based on this suspicion, lodged F.I.R. against the applicant. Eventually, on 23.03.2025, the applicant was found at Nellur, Tamilnadu with the victim.

3. The learned counsel for the applicant submits that the initial FIR concerned the missing status of the informant's daughter and raised only a suspicion against the applicant. It is further contended that the victim accompanied the applicant of her own accord and was fully aware of the consequences of her relationship with him. As the investigation is complete, the charge-sheet has been filed, and nothing further remains to be recovered from the applicant, it is prayed that the application be allowed.

4. The learned APP for the State and the learned counsel for respondent No. 3 vehemently opposed the application, submitting that the accused kidnapped the victim and subsequently subjected her to sexual exploitation. Given the serious nature of the offense, it is contended that the applicant's release on bail would pose a significant risk of tampering with evidence.

Consequently, the prayed for the application to be rejected.

5. Considering the submissions from both sides and perusing the record, including the charge-sheet, it prima facie appears that the victim accompanied the applicant and they stayed together. A perusal of the statement transpires that the victim went to Bangalore with the applicant and lived there for one month. She had no complaint against the applicant as she had left the house with him voluntarily.

6. Thus, the victim appears to have consciously participated in the acts, which indicates an awareness of the consequences of her actions. Thus, the emerging factual matrix does not, at this stage, reflect any active inducement or coercive conduct on the part of the accused.

7. Nevertheless, the investigation of the case has been completed and the charge-sheet has also been filed. Nothing remains to be recovered from the applicant. Thus, no fruitful purpose would be served by keeping the accused incarcerated any further.

8. Keeping in view the peculiar facts and circumstances of

the case, the applicant entitled for bail. The learned APP's apprehension about tampering with the prosecution evidence can be adequately taken care of by imposing stringent conditions.

9. The High Court Legal Services Sub-Committee, Aurangabad, to pay the fees to the learned counsel appointed on behalf of respondent No. 3, as per rules.

10. Resultantly, following order is passed :-

ORDER

- (I) Application is **allowed**.
- (II) Applicant – Umesh Keshavrao Dabhade 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. 92 of 2025 registered with Talwada Police Station, Tq. Georai, Dist. Beed for the offences punishable under Sections 137(2), 64(2)(i), 64(2)(m), 75 and 78 of Bharatiya Nyaya Sanhita, 2023 and Section 4 of the 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 Dadh Khurd, Tq. Sangamner, Dist. Ahmednagar, 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.
 - (e) 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 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, J.)

Omkar Joshi