



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

BAIL APPLICATION NO. 1995 OF 2025

VIJAY GURUMUKHSING ALIAS GURMUKH BHOSALE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. Sunil B. Surse
APP for Respondent No.1: Mr. S. G. Sangale
Advocate for Respondent No.2: Mr. Jitendra S. Jain
...

CORAM : SACHIN S. DESHMUKH, J.

DATE : 01-12-2025

PER COURT:-

1. The applicant is seeking bail in Crime No.412 of 2025 registered with Police Station MIDC Waluj, for the offence punishable under Sections 87, 137(2), 333, 127, 115(2), 351(3), 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 4, 8, 10 of the Protection of Children From Sexual Offences Act, 2012 ('POCSO Act', for short).

2. The alleged incident occurred on 28.04.2025. The victim told the informant that the applicant had been to her house and assaulted with slaps and blows insisting to accompany him. When the victim was proceeding to Police Station MIDC Waluj, at that time applicant with four persons allegedly kidnapped the victim. Therefore, the crime is registered. In connection with same, the applicant is arrested on 12.05.2025.

3. Heard the learned counsel for the applicant and the learned A.P.P. for the respondent.

4. Learned counsel for the applicant submits that the victim states acquaintance with present applicant. They used to meet frequently at her maternal uncle's home at village Butkheda. The victim is aged 17 years plus and mature enough to know and understand the consequences of a love affair. There is material contradiction between the statements of informant and the victim indicating that there is no *prima facie* case against the applicant. The applicant is behind bars on the basis of first information report. The co-accused have already been released on bail.

5. Learned counsel for respondent No.2 has filed an affidavit, contending that prosecution has been initiated due to the misunderstanding. The applicant and the victim reside in the same colony from many years. There was friendship between them. The first information report was lodged on account of misunderstanding and misconception. Respondent No.2 further submits that the dispute is amicably settled on account of intervention of well-wishers to give up the differences. The age of victim is more than 17 years and 9 months. The parents of both the applicant and the victim are ready to take steps for marriage on attaining age of marriage.

6. Considering the facts and circumstances afore-stated and except the present first information report, the applicant has no criminal antecedents. However, the apprehension regarding tampering with the prosecution witnesses can be addressed by imposing suitable conditions. Hence, the following order :

O R D E R

- (i) Bail Application is allowed.
- (ii) Applicant, Vijay Gurumukhsing Alias Gurmukh Bhosale, 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 the above crime, on the conditions that;
 - (a) The applicant shall not tamper with the prosecution witnesses.
 - (b) The applicant shall remain present on each date, unless exempted by the trial Court.

[SACHIN S. DESHMUKH]
JUDGE

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