



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

928 BAIL APPLICATION NO. 2071 OF 2025

SACHIN ANKUSH PATHADE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for applicant : Mr. P.P. More
APP for the respondent – State : Mr. V.M. Chate
Advocate for respondent no. 2 : Ms. Aarti Gadge (appointed)
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CORAM : SACHIN S. DESHMUKH, J.

DATE : 17 DECEMBER 2025

PER COURT :

The applicant has approached this Court seeking regular bail in connection with FIR bearing Crime No. 324 of 2025 dated 06.07.2025 registered with Chandan Jira Police Station, District - Jalna for the offences punishable under section 64, 351(2), 351(3) of the Bharatiya Nyaya Sanhita, 2023, under section 4, 5(L), 6, 8, 12 of the Protection of Children From Sexual Offences Act, 2012, under section 3(2), 3(v), 3(1)(w)(i), 3(1)(w)(ii), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

2. The FIR levelling the allegation that the complainant / prosecutrix, who is a minor, was in relationship with the present applicant since September 2024. In January 2025, when applicant proposed to marry her, she refused. Thereupon, the applicant

allegedly exercised coercion. Under the coercion, the applicant had sexual relations with the complainant at a hotel in Aurangabad during the period 16 January 2025 till 22 January, 2025 and thereafter, the applicant had sexually harassed the complainant at her house, and in a car. When the complainant was standing outside her house on 03.07.2025, applicant, his relatives and friends assaulted the complainant and her parents and her sister. Based on such allegations, the FIR was lodged.

3. Learned counsel for the applicant submits that complainant is in relationship with the applicant since September 2024, Applicant is falsely involved in the crime by the informant. There are no criminal antecedents. FIR is lodged only because there were quarrels between the family of the complainant and applicant. Cross complaints are filed. Complainant is having age of understanding. There is no caste abuse by the applicant, therefore, provisions of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 are not attracted. From the date of arrest, the applicant is behind bar, investigation is complete and chargesheet is filed. As such, prayed to grant bail.

4. Learned APP and learned advocate representing respondent no. 2 opposed the application. They submit that a minor girl is victim of the offence. The applicant has sexually harassed the

complainant extending coercion. Serious offences under the provisions of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and under the provisions of POCSO Act, are levelled against the applicant. If released on bail, applicant may tamper with the prosecution evidence.

5. Upon considering the submissions of both the sides and perusing the material on record, due to the quarrels, there are cross complaints lodged against each other. Investigation is complete. Chargesheet is filed. Prima facie, the medical evidence does not support the prosecution case. No fruitful purpose would be served by continued incarceration of the applicant. Apprehension expressed by the learned APP and the learned counsel for respondent no. 2 can be adequately taken care by imposing stringent conditions.

6. Resultantly, the following order is passed :-

ORDER

(I) Application is allowed.

II) Applicant – Sachin Ankush Pathade, be released on regular bail upon furnishing P.R. bond in the sum of Rs.50,000/- (Fifty Thousand only) with one or two local solvent sureties in the like amount, in connection with Crime No. 324 of 2025 dated 06.07.2025 registered with Chandan Jira Police Station, District - Jalna for the

offences punishable under section 64, 351(2), 351(3) of the Bharatiya Nyaya Sanhita, 2023, under section 4, 5(L), 6, 8, 12 of the Protection of Children From Sexual Offences Act, 2012, under section 3(2), 3(v), 3(1)(w)(i), 3(1)(w)(ii), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, on the following conditions :-

- (a) After his release from jail, the applicant shall report to the Investigating Officer as and when called for in writing.
- (b) The applicant shall attend the trial Court every month between 11.00 am to 1.00 pm. to mark his presence.
- (c) Applicant shall co-operate with the conduct of trial and attend trial Court on all dates unless specifically exempted and will not take any unnecessary adjournment.
- (d) Applicant shall not leave the State of Maharashtra without prior permission of the Trial Court.
- (e) The applicant shall not influence with any of the prosecution witnesses or tamper with the evidence, in any manner.
- (f) Before his actual release from jail, the applicant shall furnish his address where he propose to reside after his release from jail, to the concerned Police Station and also to the Trial Court.
- (g) In case of infraction of the above conditions and / or two consecutive defaults in marking his attendance before trial Court, it shall attract the provisions of Section 439(2) of Cr.P.C. i.e. for cancellation of bail.

7. Fees of Ms. Aarti Gadge, learned counsel appointed to represent respondent no. 2, be quantified and paid to her, by High Court Legal Services Sub-Committee Aurangabad, as per rules.

[SACHIN S. DESHMUKH]
JUDGE

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