



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

23 BAIL APPLICATION NO.2215 OF 2024

SOMNATH RAJENDRA PAWAR

VERSUS

THE STATE OF MAHARASHTRA & ANOTHER

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Advocate for Applicant : Mr.Shailesh S. Chapalgaon

APP for Respondent-State : Mr.P.P.Dawalkar

Advocate for Respondent no.2 : Mrs.Anita V.Veer [Naik]

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CORAM : ARUN R. PEDNEKER, J.

DATE : 30.06.2025

P.C. :

1] Heard learned counsel for the applicant, the learned APP for the respondent-State and the learned counsel for the assist to P.P.

2] The applicant is seeking bail as he is arrested on 16.01.2022 in connection with Crime No.0009/2022, registered with Rahata Police Station, Taluka Rahata, District Ahmednagar, for the offence punishable under Sections 363, 376 (2) (n) (j), 366-A, 341, 342, 323, 504 and 506 of the IPC and under Sections 4, 5 (1), 6, 16 and 17 of the Protection of Children from Sexual Offences Act, 2012.

3] The learned counsel for the applicant submits that this is successive Bail Application. The first Bail

Application No.667/2022 was filed and the same was withdrawn by order dated 28.06.2022. Thereafter, Second Bail Application No.1729/2022 was filed and the same was rejected by order dated 02.01.2023. Thereafter, third Bail Application No.920/2024 was also filed and by order dated 21.08.2024, the same was disposed of, with liberty to the applicant to move fresh application for bail before the trial Court on the ground of delayed trial. He further submits that thereafter the applicant has moved Bail Application before the Sessions Court and the same was rejected by order dated 12.11.2024, as such, the present bail application is filed before this Court.

4] This Court, by order 09.06.2025, called status report from the trial Court, which shows that on 21.05.2023 the accused was present. Thereafter, on 55 occasions the accused was not present before the trial Court and the matter was adjourned. Considering the ground of delayed trial and the applicant is in jail from 16.01.2022, so also, considering that at the time of offence the applicant was of 18 years of age and the victim of 14 years of age, *prima facie*, possibility of love relations between them cannot be ruled out. The victim stayed with the applicant over a period of 15 days and thereafter the relatives of the victim had taken search of the victim and they had brought the victim and accused in the police station. After statement of the victim, POSCO is registered against the present

applicant. Considering the above facts, the applicant is granted bail. In view of the same, the application is allowed in the following terms :

a] The applicant shall be released on bail in connection with Crime No.0009/2022, registered with Rahata Police Station, Taluka Rahata, District Ahmednagar, for the offence punishable under Sections 363, 376 (2) (n) (j), 366-A, 341, 342, 323, 504 and 506 of the IPC and under Sections 4, 5 (1), 6, 16 and 17 of the Protection of Children from Sexual Offences Act, 2012, on furnishing PR bond of Rs.20,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

b] The applicant, upon being released on bail, shall not contact the informant, in any manner whatsoever, during the pendency of the trial.

c] The applicant shall co-operate with the trial Court and he shall attend each and every date, unless exempted by the trial Court.

d] The applicant shall not tamper with the evidence of the prosecution and he shall not influence the informant, witnesses and other persons concerned with the case.

e] The applicant, upon being released on bail, shall place on record of the trial Court the details of his Contact Number and residential address with updates in case of any change.

5] Needless to say, in case of violation of any of the aforesaid conditions, the bail granted to the applicant shall be liable to be cancelled. It is also clarified that the observations made in this order are limited to the disposal of the present bail application. The concerned Court shall proceed further in the matter without being influenced by the observations made hereinabove.

6] The application stands disposed of.

7] Mrs. Anita V.Veer [Naik], learned counsel appointed by this Court to represent the cause of respondent no.2, shall be paid fees of Rs.10,000/- by the High Court Legal Aid Services Sub-Committee, Aurangabad.

[ARUN R. PEDNEKER]
JUDGE

DDC