



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

26 BAIL APPLICATION NO. 186 OF 2025

BHAGWAN ASARAM BHOI

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Shaikh Mohammad Naseer A.

APP for Respondent/State: Mr. V. M. Jaware

Advocate for Respondent No.2 : Ms. Priyanka Y. Sarnaik (*appointed*)

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CORAM : ARUN R. PEDNEKER, J.

DATE : 30th JUNE, 2025

PER COURT:

1. Heard.
2. The applicant is seeking bail as he was arrested on 22.05.2024 in connection with Crime No.216/2024, dated 22.05.2024, registered with Raver Police Station, District Jalgaon, for the offences punishable under Sections 377, 506 of the IPC & under Sections 4, 6 and 12 of the POCSO Act.
3. The case against the applicant, who is stated to be the maternal uncle of the victim, is that the applicant has committed penetrative sexual assault on the victim. The alleged offence is committed on 19.05.2024 and the FIR is registered on 22.05.2024 and the applicant is arrested on the same day.
4. The learned counsel for the applicant submits that both the parties are relatives in which there would be a possibility of implication

or for some extraneous purpose the FIR is registered and that there is delayed FIR.

5. Perused the medical evidence and the reason stated for delayed FIR. The victim being 10 years of age and that there was threat given not to disclose the same, but, the victim experienced some pain in the anal region and then he finally disclosed the incident and the FIR came to be registered.

6. Considering the age of the victim, so also, more particularly, considering the injury certificate, which shows injuries to the anus, this is not a fit case for grant of bail. However, if the trial does not proceed, the applicant is granted liberty to move for bail afresh after one year.

7. Ms. Priyanka Y. Sarnaik, learned counsel appointed to represent the cause of the victim / Respondent No.2 shall be paid fees of Rs.10,000/- by the High Court Legal Services Sub-committee, Aurangabad.

8. The Bail Application stands dismissed.

[ARUN R. PEDNEKER, J.]

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