



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

979 BAIL APPLICATION NO. 1002 OF 2025

SHUBHAM ALIAS AKASH RAWAN GAIKWAD
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. More P. P.
APP for Respondent/State : Mr. G.O. Wattamwar
Advocate for assisting APP : Mrs. Sonali Veer (appointed)

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 24/06/2025

P.C. :

1. Heard the learned counsel for the applicant, learned APP for the respondent-State and Mrs. Sonali Veer, learned advocate appointed for respondent No. 2.
2. The applicant is seeking bail as he was arrested in connection with Crime No. 465/2024 dated 24.11.2024 registered with Shivaji Nagar Police Station, Latur, District Latur for the offences punishable under sections 137 (2), 64(1)(2)(i)(m), 69, 352, 351(2) of B.N.S., 2023 and sections 4 and 6 of Prevention of Children From Sexual Offences Act, 2012.
3. The crime is registered on the basis of complaint filed by the mother of the victim, who is aged 17 years and 1 month. On perusal of the police papers, it appears that the victim had travelled with the applicant from Latur to Pune on 24.11.2024 and there victim and applicant resided together till 16.2.2025. It appears that victim had conceived and at that time, when victim told the applicant to leave her at her parents house, but the applicant refused to do that. Thereafter, on 16.2.2025 police searched her and after recording the statement of the victim under section 183 of

B.N.S.S., crime is registered for aforesaid offence against the applicant.

4. The learned counsel for the applicant submits that the applicant is behind bars since 17.2.2025. Investigation in the matter is completed and chargesheet is also filed. The applicant is 19 years old. The learned counsel therefore prays to release the applicant on regular bail.

5. Per contra, the learned APP as well as the learned counsel appointed for respondent No. 2 has opposed the bail application by submitting that the victim was minor and the applicant ought not to have taken the victim with him at Pune and ought not to have kept physical relations with victim. As such, the offence is made out against the applicant and therefore, the present bail application may be rejected.

6. It appears that at the relevant time victim is 17 years and 1 months old and the applicant is 19 years old. The victim is of age of understanding and had travelled with the applicant from Latur to Pune and resided with applicant for long time. Investigation in the matter is completed and chargesheet is also filed. Considering that the trial would take some time to conclude, it would not be proper to keep the applicant behind bars till the conclusion of the trial. Considering all above, I hold that regular bail can be granted to the applicant.

7. In view of the above, the application is allowed in the following terms :

a] The applicant shall be released on bail in connection with Crime No. 465/2024 dated 24.11.2024 registered with Shivaji Nagar Police Station, Latur, District Latur for the offences punishable under sections 137 (2), 64(1)(2)(i)(m), 69, 352, 351(2) of B.N.S., 2023 and sections 4 and 6 of Prevention 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, for reasons to be recorded in writing.

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.

8. 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.

9. 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.

10. The High Court, Legal Services Sub-Committee, Aurangabad shall pay fees of Rs.10,000/- to the learned counsel appointed for respondent No. 2.

11. The application stands disposed of.

[ARUN R. PEDNEKER, J.]

SSC/