



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

1000 BAIL APPLICATION NO. 1009 OF 2025

KARAN VASANT JADHAV

VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for Applicant : Mrs. Lomte Ashwini Annasaheb

APP for Respondent 1 & 2 : Mrs. V.N. Patil-Jadhav

Advocate for Respondent 3 : Mrs. Shilpa Aurangabadkar (appointed)

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 25/06/2025

P.C. :

1. Heard the learned counsel for the applicant and the learned APP for the respondents-State and the learned advocate appointed for respondent No. 2.
2. The applicant is seeking bail as he was arrested in connection with Crime No. 138/2025 dated 15.4.2025 registered with Shivaji Nagar Police Station, Latur, District Latur for the offences punishable under sections 137(2), 64, 69, 351(3) of B.N.S., 2023, section 4, 8 and 12 of Protection of Children from Sexual Offences Act, 2012 and sections 3(1)(w)(i)(ii), 3(2)(v) (va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.
3. Crime of kidnapping is registered on the basis of complaint filed by the father of the victim against the unknown person. It is stated that applicant on getting knowledge of the F.I.R. took the victim to the police station. At the relevant time, the victim was of 17 years and 4 months old and the applicant was of 20 years old. After recording statement of victim under section 183 of B.N.N.S., the crime is registered for aforesaid offences

against the applicant.

4. The learned counsel for the applicant submits that the statement of the victim would indicate that the victim had voluntarily travelled with the applicant from 15.4.2025 and the victim was in the company of the applicant till on 20.4.2025. The learned counsel submits that the victim is nearing to the age of majority and she had accompanied the applicant on her own. The learned counsel also points out that the victim was already married and statement of victim of husband is also recorded which forms part of the chargesheet. Chargesheet in the matter is filed and investigation is completed. The learned counsel submits that since 21.4.2025, the applicant is behind bars and therefore, prays to release the applicant on regular bail.

5. Per contra, the learned APP and the learned counsel appointed for respondent No. 2 submit that prior marriage of the victim was also child marriage. The victim is of minor age and the offences as alleged are made out against the applicant. Hence, the learned APP and the learned counsel appointed for respondent No. 2 prays to reject the bail application of the applicant.

6. Having considered the rival submissions, it appears that at the relevant time, victim was of 17 years and 4 months old and was near to the age of majority and having the age of understanding. The victim herself had accompanied with the applicant on her own and without any grievance although in her statement under section 183 of B.N.S.S., the victim has stated that she accompanied the applicant under misrepresentation and force. Chargesheet in the matter is filed. Investigation is completed. The applicant is behind bars since 21.4.2025. Trial will take considerable time.

Considering all above aspects of the matter, I deem it appropriate to grant regular bail 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. 138/2025 dated 15.4.2025 registered with Shivaji Nagar Police Station, Latur, District Latur for the offences punishable under sections 137(2), 64, 69, 351(3) of B.N.S., 2023, section 4, 8 and 12 of Protection of Children from Sexual Offences Act, 2012 and sections 3(1)(w)(i)(ii), 3(2)(v)(va) of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989, 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. Legal Services Sub-Committee, Aurangbad 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/