

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 180 OF 2025

Manoj Baburao Godase

.... Applicant

Versus

The State of Maharashtra and Anr.

.... Respondents

Mr. Abhishek R. Avachat i/b Navnath Khate, Advocate for the Applicant.

Mr. N. B. Patil, A.P.P., for the Respondent – State.

Ms. Vishakha Patil, appointed Advocate for Respondent No.2 (Through Legal Aid).

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CORAM : SHIVKUMAR DIGE, J.

DATE : 14th OCTOBER, 2025.

P.C. :

1. By this application, the Applicant is seeking regular bail in connection with C.R. No. 1391 of 2022 registered with Sangola Police Station, for the offence punishable under Sections 376(3) of the Indian Penal Code, 1860 (for short, “IPC”) along with Sections 3(1)(w)(i), 3(1)(w)(ii), 3(1)(r), 3(1)(s), 3(2)(v) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, 1989 and Sections 5(j)(ii) read with Sections 6, 9(1) r/w 10 and Section 42 of the Protection of Children from Sexual Offences Act, 2012 (for short, “POCSO Act”).

2. It is prosecution's case that the Applicant sexually assaulted the first informant on various occasions. At the time of incident, the victim was thirteen years and six months old, whereas the Applicant was 22 years old.

3. It is contention of learned counsel for the Applicant that there was love relationship between the Applicant and first informant/victim. While medical examination, she has stated to the doctor that there was love affair between them. The Applicant had love affair with the first informant. The Applicant is behind bars for more than two years, yet charge has not been framed. The Applicant is Karta of his family. It may take time to conclude the trial, and requested to allow the application.

4. It is contention of learned APP along with learned counsel for Respondent No.2 that the Applicant sexually assaulted the victim on several occasions. Due to sexual assault, she became pregnant. At the time of incident, the victim was thirteen years and six months old. The Applicant was aware about the age of the victim. If the Applicant is released on bail, he may threaten the victim and prosecution witnesses, and requested to reject the application.

5. I have heard all learned counsel, perused F.I.R. and

documents produced on record.

6. The victim has stated while giving the medical history to the doctor that she had love affair with the Applicant. The Applicant is behind bar for more than two years, yet charge has not been framed. Investigation is completed and charge-sheet has been filed. It may take time to conclude the trial, and I pass following order:

ORDER

- i. Application is allowed.
- ii. The Applicant be released on bail in connection with C.R. No. 1391 of 2022 registered with Sangola Police Station, on furnishing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount.
- iii. The Applicant shall attend the concerned police station as and when required.
- iv. The Applicant shall not enter the area where the victim stays.
- v. The Applicant shall remain present before the trial Court on each date unless exempted by the Trial Court.

- vi. The Applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witness or any person concerned with the case.
 - vii. The Applicant shall inform his latest place of residence and mobile number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Investigating Officer.
7. The application is allowed in the aforesaid terms and is accordingly disposed off.
8. It is made clear that the above observations are made only for the purpose of granting bail and the Trial Court shall decide the case on its own merits in accordance with law and uninfluenced by the observations made in this order.
9. Ms. Vishakha Patil is appointed through Legal Aid to represent for Respondent No.2, Professional Fees of Rs.10,000/- be paid to her.
10. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)