

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

CRIMINAL BAIL APPLICATION NO. 320 OF 2025

Shankar Vikram Bhosale

.... Applicant

Versus

The State of Maharashtra and Anr.

.... Respondents

Mr. Onkar A. Mane, Advocate for the Applicant.

S.M.M. Owais T. Jahagirdar for Respondent No.2.

Ms. S. N. Deshmukh, A.P.P., for the Respondent – State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 19th SEPTEMBER, 2025.

P.C. :

1. By this application, the Applicant is seeking regular bail in connection with C.R. No.312 of 2024 registered with Mohol Police Station, Solapur, for the offences punishable under Sections 363 and 376 of the Indian Penal Code, 1860 (for short, “IPC”), and Sections 4, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012, (for short, “POCSO Act”).

2. It is prosecution’s case that the Applicant had kidnapped the daughter of the first informant aged 17 years and 6 months, and sexually assaulted her on the promise of marriage. Though, the

Applicant was already married and 37 years old.

3. It is contention of learned counsel for the Applicant that the Applicant is behind bars for more than one year. There was a love affair between the Applicant and victim. At the time of incident, the victim's was 17 years and 6 months old. In her statement before the police, she has admitted that she had love affair with the Applicant. Though, the Applicant is behind bars for around one year, but no charge has been framed. It may take time to conclude the trial. The Applicant has no antecedents. Hence, requested to allow the application.

4. It is contention of learned APP along with learned counsel for Respondent No.2 that at the time of incident, the Applicant was 37 years old and married, in spite of that he sexually assaulted the victim by luring and threatening her. The victim has specifically stated that the Applicant sexually assaulted her by threatening. If the Applicant is released on bail, he may threaten the victim and prosecution witnesses, hence requested to reject the application.

5. I have heard all learned counsel, perused the F.I.R. and documents produced on record.

6. The Applicant is behind bars for more than one year. There

is no progress in the trial. At the time of incident, the victim was 17 years and 6 months old. It may take time to conclude the trial. Considering the age of the Applicant as well as the fact that he is behind bars for more than one year, I pass the following order:

ORDER

- i. The application is allowed.
- ii. The Applicant be enlarged on bail in connection with C.R. No.312 of 2024 registered with Mohol Police Station, Solapur, on furnishing P.R. Bond in the sum of Rs.50,000/- one or tow sureties in the like amount.
- iii. The Applicant shall attend the concerned police station as and when required.
- iv. The Applicant shall not enter in the village where the victim stays, till the recording of evidence of victim.
- v. The Applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witness or any person concerned with the case.
- vi. 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.

vii. The Trial Court shall not be influenced by the observations made in this order and shall decide the matter on its own merits and in accordance with law.

8. The application is allowed in the aforesaid terms and is accordingly disposed off.

9. All the concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)