

Harish

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 996 OF 2025**

Aniket Gabbar Alias Gabarya Bhosale ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr. Shreyas P. Barsawade through V.C., Advocate for the Applicant.

Mr. Rahul R. Pawar, Advocate for Respondent No. 2.

Mr. Nitin. B. Patil, APP for the Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 1st DECEMBER, 2025

P.C.

1. By this application, applicant is seeking regular bail in Crime No.338 of 2020 registered with Satara Taluka Police Station, District Satara for the offences punishable under Sections 376(D) of the Indian Penal Code (for short "IPC").

2. It is prosecution's case that on 24th June, 2020, the applicant and co-accused gang raped first informant turn by turn.

3. It is contention of learned counsel for applicant that the applicant is behind bar more than 2 years and 9 months. There is two days delay in lodging the FIR. Though charge is framed, there is no

progress in trial. It may take time to conclude the trial. Hence, requested to allow the application.

4. It is contention of learned A.P.P. along with respondent no. 2 that the applicant and co-accused gang raped the first informant. On next date she informed her mother about the incident and thereafter complaint was lodged. There is no delay in lodging the FIR. The medical evidence supports the prosecution's case. After the incident, the applicant was absconding. He has criminal antecedents. Hence, requested to reject the application.

5. I have heard all the learned counsels, perused the FIR and documents produced on record.

6. There is delay in lodging the FIR. The applicant is behind bar more than 2 years and 9 months. Through charge is framed, there is no progress in trial. It may take time to conclude the trial. Considering these facts, his further detention is not required and I pass the following order :

ORDER

- I. Application is allowed;
- II. The applicant be enlarged on bail in Crime No.338 of 2020 registered with Satara Taluka Police Station, District Satara, on executing P.R.Bond in the sum of

Rs.20,000/- with one or two sureties in the like amount;

III. The applicant shall not enter in Satara District till recording of evidence of the first informant and her mother;

IV. The applicant shall not tamper with the evidence or attempt to influence or contact the first informant, witnesses or any person concerned with the case.

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. As Mr. Rahul R. Pawar is appointed through Legal Aid Committee to represent respondent no. 2, professional fees of Rs.10,000/- be paid to him.

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

(SHIVKUMAR DIGE, J.)