

Harish

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION. NO. 969 OF 2025**

HARISH
VITHAL
CHAUDHARI

Santosh Tuljaram Parse ...Applicant
Vs
State Of Maharashtra and Anr. ...Respondents

Digitally signed
by HARISH
VITHAL
CHAUDHARI
Date:
2025.09.26
11:15:04 +0530

Mr. Ritesh Thobde a/w Changdev Shingale & Darshan Singh
Rajpurohit for the Applicant.
Ms. Kanchan Pawar for Respondent No. 2 (Through V. C.).
Ms. S. N. Deshmukh, APP for the Respondent-State.

**CORAM : SHIVKUMAR DIGE, J.
DATE : 23rd SEPTEMBER 2025**

P.C.:

1. By this application, applicant is seeking regular bail in Crime No.339 of 2024 registered with Mandrup Police Station, Solapur Rural for the offences punishable under Sections 65(1) and 49 of Bharatiya Nyaya Sanhita, 2023 and Sections 4, 8, 12 and 17 of Protection of Children from Sexual Offences Act, 2012.
2. It is prosecution's case that on 11th October, 2024 and 12th October, 2024 when the minor daughter of the first informant had gone to answer the nature's call, at that time, the applicant forcefully sexually assaulted her.

3. It is the contention of learned counsel for the applicant that the applicant is behind bar more than 10 months. Investigation is completed, charge-sheet has been filed. Applicant is 19 years old boy. He is a student. The medical report does not show any injury on the private part of the victim. Hence, requested to allow the application.

4. It is contention of learned APP along with respondent no.2 that the applicant sexually assaulted the victim twice by gagging her mouth. The victim immediately informed about the incident to her mother. There is no delay in lodging the FIR. There is hymenal tear. The medical report supports the prosecution's case. Hence, requested to reject the application.

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

6. Applicant is behind bar more than 10 months. It appears from the record that investigation is completed and charge-sheet has been filed. Applicant is a student 19 years old boy. The medical report does not show any injury on the private part of the victim. At the time of incident, the victim was 15 years and 9 months old. If the applicant remain behind bar, his education

life will ruin. Considering these facts, further detention of applicant is not required and I pass following order:

ORDER

(i) The applicant be enlarged on bail in Crime No. 339 of 2024 registered with Mandrup Police Station, Solapur Gramin on executing P.R.Bond in the sum of Rs.20,000/- with one or two sureties in the like amount.

(ii) The applicant shall attend the Court dates regularly.

(iii) 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.

(iv) The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, 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. All concerned to act on the authenticated copy of this order.

[SHIVKUMAR DIGE, J.]