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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 1080 OF 2025**

Shivaji Mahadev PetadeApplicant
Vs.
State of MaharashtraRespondent

Mr. Vikrant V. Phatate for the applicant
Ms. Veera Shinde APP for the State

**CORAM : SHIVKUMAR DIGE, J.
DATE : 15th SEPTEMBER 2025**

P.C.:

1. By this application, applicant is seeking regular bail in C.R. No. 244 of 2024 registered with Tembhurni Police Station, District Solapur for offences punishable under Sections 376(2)(n), 366, 327, 506 of the Indian Penal Code.

2. It is the prosecution's case that on 8th May 2024, applicant abducted the first informant from her house and sexually assaulted her by taking her at lodge by threatening her to kill her family members.

3. It is the contention of learned counsel for applicant that there was love affair of the applicant with the first informant. At the time of incident, first informant was 21 years old. Physical

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relation between the applicant and first informant was consensual. Applicant is behind bar for more than one year. Investigation is completed and charge-sheet has been filed. Hence, requested to allow the application.

4. It is the contention of learned APP that applicant sexually assaulted the first informant on promise of marriage and by threatening her. He abducted the first informant from her house. If applicant is released on bail, he may abscond or threaten the first informant and prosecution witnesses. Hence, requested to reject the application.

5. I have heard both learned counsel, perused F.I.R. and documents produced on record. There is delay in lodging complaint. First informant is major. It appears from the record that relations between applicant and first informant were consensual. To prove allegations against the applicant, evidence is required. Applicant is behind bar for more than one year. Investigation is completed and charge-sheet has been filed.

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

ORDER

- I. Application is allowed.
 - II. Applicant be enlarged on bail in C.R. No. 244 of 2024 registered with Tembhurni Police Station, District Solapur on executing P.R. Bond in the sum of Rs. 20,000/- with one or two sureties in the like amount.
 - III. Applicant shall not tamper with the evidence or attempt to influence or contact the witnesses or any person concerned with the case.
 - IV. Applicant shall attend the Trial Court dates, regularly.
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.]