

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

CRIMINAL BAIL APPLICATION NO. 1084 OF 2025

Prashant Dattaram Sarfare

.... Applicant

Versus

The State of Maharashtra

.... Respondents

Mr. Sangram Desai a/w Ms. Sanjana Desai, Ms. Janhvi Dudhwadkar
and Mr. Advait V., Advocate for the Applicant.

Ms. P. S. Rane, A.P.P., for the Respondent – State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 15th SEPTEMBER, 2025.

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P.C. :

1. By this application, the Applicant is seeking regular bail in C. R. No.115 of 2024 registered with Rajapur Police Station, Ratnagiri, for the offence punishable under Section 64, 64(2)(m) and 69 of the Bharatiya Nyaya Sanhita Act, 2023 (for short, “BNS Act”) and under Section 67(A) of the Information Technology Act, 2000.
2. It is prosecution’s case that during period of December, 2023 to July, 2024, the Applicant sexually assaulted the first informant on several occasions on promise of taking care of her child.
3. It is contention of learned counsel for the Applicant that the

relationship between the Applicant and first informant was consensual. The first informant is major. The Applicant is behind bar for around 11 months. Investigation is completed and charge sheet has been filed. Hence, requested to allow the application.

4. It is contention of learned APP that the Applicant has sexually assaulted the first informant on the promise that he will take care of her daughter, thereafter, he refused to take care. If Applicant is released on bail, he may threaten the victim and prosecution witnesses. Learned APP further submitted that the Applicant has antecedents. Hence, requested to reject the application.

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

6. There is delay in lodging the F.I.R. The first informant is major. It appears that the physical relationship between the Applicant and first informant was consensual. The Applicant is behind bar for around 11 months. Investigation is completed and charge-sheet has been filed against the Applicant. Considering these facts, I pass following order:

ORDER

- i. The application is allowed.

- ii. The Applicant be released on bail in connection with C. R. No.115 of 2024 registered with Rajapur Police Station, District – Ratnagiri, on furnishing P.R. Bond in the sum of Rs.50,000/- with one or two sureties in the like amount.
 - iii. The Applicant shall remain present before the trial Court on each date unless exempted by the Trial Court.
 - iv. The Applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witness or any person concerned with the case.
 - v. 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.
7. The application is allowed in the aforesaid terms and is accordingly disposed of.
8. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)