

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

CRIMINAL BAIL APPLICATION NO. 1694 OF 2025

Vinayak Narendra Khot ...Applicant
Versus
The State of Maharashtra And Anr. ...Respondents

Mr. Abhay A. Jadhavar a/w Mr. Rutik A. Kashid a/w Mr. Chandrakant Pandagle i/by Mr. Sachin Devkar, Advocate for the Applicant.

Ms. Dnyaneshwari Utpat, Advocate for Respondent No.2 appointed through legal-aid.

Mr. P. P. Deokar, APP for the Respondent No.1-State.

CORAM : SHIVKUMAR DIGE, J.
DATE : 22nd DECEMBER, 2025.

P.C.

1. By this application, applicant is seeking regular bail in Crime No. 212 of 2024 registered with Shirolu M.I.D.C. Police Station, District : Kolhapur for the offences punishable under Sections 65(1), 351(2), 79, 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short "BNS") and Sections 4, 12 & 17 of the Protection of Children From Sexual Offences Act, 2012.

2. It is prosecution's case that on 1st July, 2024, the applicant kidnapped the victim by threatening her on his motorcycle and sexually assaulted her by taking her in one lodge.

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3. It is contention of learned counsel for applicant that there was love affair between the applicant and victim. There is one day delay of lodging the FIR. The applicant is behind bar for around 17 months. There is no progress in trial. At the time of incident, the victim was 15 years and 8 months old. Hence, requested to allow the application.

4. It is contention of learned APP along with learned counsel for Respondent No.2 that the applicant kidnapped the victim on his motorcycle and sexually assaulted her. On next day, the complaint was filed. There is no delay in lodging FIR. If applicant is released on bail, he may abscond or threaten the victim and prosecution witnesses and requested to reject the application.

5. I have heard all the learned counsels, perused the FIR and documents placed on record. At the time of incident, the victim was 15 years and 8 months old. The applicant is behind bar for around 17 months. There is no progress in trial. Charge is not yet framed. Though victim was taken on motorcycle by the applicant, she did not make any hue and cry. Considering these facts, I pass the following order :

ORDER

(i) Application is allowed;

(ii) The applicant be enlarged on bail in Crime No. 212 of 2024 registered with Shirolī M.I.D.C. Police Station, District : Kolhapur, 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 tamper with the evidence or shall not attempt to influence or contact the victim, witnesses or any person concerned with the case.

(iv) Applicant shall attend the Trial Court dates, regularly.

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

7. 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.

8. As Ms. Dnyaneshwari Utpat is appointed to represent Respondent No.2 through legal-aid, professional fees of Rs.10,000/- be paid to her.

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

(SHIVKUMAR DIGE, J.)