

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

CRIMINAL BAIL APPLICATION NO. 2070 OF 2024

Sanjay Masu Thengal

...Applicant

Versus

The State of Maharashtra And Anr.

...Respondents

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Mr. Vikrant Phatate a/w Mr. Vishal Waghela, Mr. Vijay Bendgud,
Mr. Mahesh Arjun, Advocate for the Applicant.

Mr. C. D. Mali, A.P.P. for the Respondent No.1 – State.

Mr. Limbraj Manikrao Pawar for the Respondent No.2/Victim.

Mr. Sachin Wagh (H.C.), Sangola Police Station, Solapur, present.

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CORAM : N. R. BORKAR, J.

DATE : 6th MARCH, 2025

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No. 1218 of 2021 registered at Sangola Police Station, District : Solapur for the offences punishable under Sections 354(A), 354(D), 452, 324, 143, 147, 148, 149 & 506 of the Indian Penal Code and Sections 67, 67(A), 67(B) of the Information Technology Act, and Section 12 of the Protection of Children from Sexual Offences Act, 2012.

3. It is the case of the prosecution that the co-accused Prashant Waghmare had made the victim to send her semi-nude photographs to him. It is alleged that said photographs were sent through Whats App. The allegations against the applicant, who was working as agricultural labour in the field owned by the parents of the victim are that, he at the instance of another co-accused got those photographs hacked from the mobile phone of the victim. It is alleged that the said photographs were then circulated on Whats App. There are allegations of assault against the other co-accused.

4. I have heard the learned counsel for the applicant, learned A.P.P. for the Respondent No.1-State and the learned counsel for the Respondent No.2/Victim.

5. The learned counsel for the applicant submits that applicant has nothing to do with the alleged crime. It is submitted that the applicant is in jail for more than two years and the trial has not commenced. It is submitted that there are no other criminal antecedents.

6. On the other hand, the learned APP for the Respondent/State submits that considering the nature of offence the applicant may not be released on bail.

7. The applicant is in jail for more than two years. There are no other criminal antecedents. Considering the over all facts and circumstances of the case, I am inclined to release the applicant on bail.

ORDER

- (i) Criminal Bail Application is allowed;
- (ii) The applicant is directed to be released on bail in connection with Crime No. 1218 of 2021 registered at Sangola Police Station, District : Solapur for the offences punishable under Sections 354(A), 354(D), 452, 324, 143, 147, 148, 149 & 506 of the Indian Penal Code and Sections 67, 67(A), 67(B) of the Information Technology Act, and Section 12 of the Protection of Children from Sexual Offences Act, 2012, on executing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount;
- (iii) Application stands disposed of accordingly.

(N. R. BORKAR, J.)