

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 2099 OF 2025**

Sharif Farid Bagwan

...Applicant

Versus

State Of Maharashtra And Anr

...Respondents

Mr. Hrishikesh Shinde for the applicant

Mr. S. H. Yadav, APP for the State

Mr. Amit Waykool appointed through Legal Aid for respondent
no. 2

Mr. Ganesh Ingale, API, MIDC Police Station, Solapur

CORAM : SHIVKUMAR DIGE, J.

DATE : 29th SEPTEMBER 2025

IRESH
MASHAL

P.C.:

1. By this application, applicant is seeking regular bail in C.R. No. 691 of 2024 registered with M.I.D.C. Police Station, District Solapur for offences punishable under Sections 64, 65(2), 351(2), 351(3) of Bhartiya Nyay Sanhita, 2023 and under Sections 4, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012.

2. It is the prosecution's case that on 1st September 2024

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around 2.00 p.m., the first informant had sent her minor daughter to bring screw driver from the applicant's house. It is alleged that when the victim came to the house of the applicant, he undressed her and inserted finger in her private part and threatened her.

3. It is the contention of learned counsel for applicant that there is delay of one month in lodging the complaint. applicant is behind bar for more than one year. The medical report is not on record. The applicant has no antecedents. Hence, requested to allow the application.

4. It is the contention of learned APP and learned counsel for respondent no. 2 that at the time of incident, victim was around 10 years old. The allegation against the applicant is that he inserted finger in private part of the victim by undressing her. The applicant is neighbour of the victim. If applicant is released on bail, he may threaten the victim or prosecution witnesses. Hence, requested to reject the application.

5. I have heard all the learned counsel, perused F.I.R. and documents produced on record. There is delay of one month in

lodging the complaint. The victim was not medically examined as she was not ready for medical examination. applicant is behind bar around one year. It may take time to conclude the trial.

6. Considering these facts, I pass the following order:

ORDER

I. The Application is allowed.

II. The Applicant be enlarged on bail in C.R. No. 691 of 2024 registered with M.I.D.C. Police Station, District Solapur on executing PR.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 attempt to influence or contact the witnesses or any person concerned with the case.

IV. The applicant shall not enter in the jurisdiction of M.I.D.C. police station, District Solapur till recording evidence of the victim, except attending Court dates.

V. The 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.]