

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

CRIMINAL BAIL APPLICATION NO. 2741 OF 2025

Chandrakant Babar @ Patil

.... Applicant

Versus

The State of Maharashtra and Anr.

.... Respondents

Mr. Abhishek Ingale a/w Adv. Benazim Jamadar and Adv. Om U. Mangave, Advocate for the Applicant.

Mr. A. S. Shalgaonkar, A.P.P., for the Respondent – State.

Ms. Vrunali Vilankar, Advocate for Respondent No.2.

CORAM : SHIVKUMAR DIGE, J.

DATE : 25th SEPTEMBER, 2025.

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P.C. :

1. By this application, the Applicant is seeking regular bail in C.R. No. 10 of 2025 registered with Kavathe Mahakal Police Station, District: Sangli, for the offences punishable under Sections 376, 376(2)(n), 313, 504 and 506 of the Indian Penal Code, 1860 (for short, “IPC”) and Sections 4, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012 (for short, “POCSO Act”) and Sections 3(1)(w)(i), 3(1)(s), 3(2)(5), 3(1)(r) of the Scheduled Caste and Scheduled Tribes (Prevention of Atrocities Act, 1989).

2. It is prosecution's case that the Applicant sexually assaulted the victim on several occasions on the promise of marriage, but thereafter, he refused to marry her as she belongs to the Scheduled Caste.

3. It is contention of learned counsel for the Applicant that at the time of incident victim was more than 17 years. The said physical relations were consensual. There is a delay of 22 months for lodging the F.I.R. The Applicant is behind bars for more than five months. Investigation is completed and charge sheet has been filed. The matter is settled out of the Court, and victim has no objection to allow the bail application. Hence, requested to allow the application.

4. It is contention of learned APP that the Applicant has sexually assaulted the victim on the promise of marriage, who was minor at the time of incident. Due to said sexual assault, she became pregnant. Thereafter, he refused to marry her, as she belongs to Scheduled Caste. If the Applicant is released on bail, he may threaten the victim and prosecution witnesses, and requested to reject the application.

5. It is contention of learned counsel for Respondent No.2 that

Respondent No.2 has no objection to allow the bail application.

6. I have heard all learned counsel, perused the F.I.R. and documents produced on record.

7. There is a delay of 22 months for lodging the F.I.R. At the time of incident, the victim was more than 17 years. The Applicant is behind bars for more than five months. Investigation is completed and charge-sheet has been filed. The Applicant has no antecedents and victim has no objection to allow the bail application, and I pass the following order :

ORDER

- i. The Application is allowed.
- ii. The Applicant be released on bail in connection with C.R. No. 10 of 2025 registered with Kavathe Mahakal Police Station, District: Sangli, 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 mark his attendance with the concerned police station as and when required.
- iv. The Applicant shall remain present before the trial Court

on each date unless exempted by the trial Court.

- v. The Applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witness or any person concerned with the case.
 - vi. 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.
 - vii. The Applicant shall inform his latest place of residence and mobile number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Investigating Officer.
8. The application is allowed in the aforesaid terms and is accordingly disposed off.
9. All the concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)