

Harish

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

ANTICIPATORY BAIL APPLICATION NO. 2073 OF 2025

HARISH
VITEKHA
CHAUDHARI

Akshay Jagannath Tike
Versus

...Applicant

The State Of Maharashtra And Anr

...Respondents

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Mr. Kuldeep U. Nikam (through VC) Advocate for the Applicant.
Mr. Soham Powar for respondent no. 2 appointed through Legal Aid
Mr. A. S. Shalgaonkar APP for the State

CORAM : SHIVKUMAR DIGE, J.

DATE : 13th NOVEMBER, 2025.

P.C.

1. The applicant is apprehending his arrest in C.R. No. 65 of 2025 registered with Phaltan Police Station, District: Satara for offences punishable under Sections 137(2), 64(2)(m), 91, 351(2)(3) 238 r/w 3(5) of Bhartiya Nyay Sanhita, 2023 and Sections 4(2), 5(j) (ii), (1), 6 and 17 of the Protection of Children from Sexual Offences Act, 2012.

2. It is the prosecution's case that on 17th February 2025 the daughter of the first informant was kidnap by accused no. 1 and

sexual assaulted. It is alleged that the applicant had threatened the first informant not to lodge the complaint against accused no. 1.

3. It is contention of learned counsel for applicant that the applicant is police Patil. He is a government servant. Investigation is completed, charge-sheet has been filed. Considering the allegations against the applicant, his custodial interrogation is not required. He further submits that while on interim relief, the applicant has co-operated in the investigation. Hence, requested to allow the application.

4. It is contention of learned APP along with responded no.2 that the accused no. 1 had kidnapped the minor daughter of the first informant and sexually assaulted her. When the first informant approached the applicant, he threatened her not to file complaint. It shows his involvement in the crime. Hence custodial interrogation of the applicant is required and requested to reject the application.

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

6. It appears from record that investigation is completed, charge-sheet has been filed. The allegations against the applicant are of threatening the first informant. While on interim relief, the

applicant has co-operated in the investigation. Considering these facts, I pass following order: In view of above, I pass following order:

ORDER

- I. Application is allowed.
 - II. In the event of arrest, applicant be enlarged on bail in C.R. No. 65 of 2025 registered with Phaltan Police Station, District: Satara on furnishing P.R. Bond in the sum of Rs. 20,000/- with one or two sureties in the like amount.
 - III. The applicant shall attend the concerned police station as and when required.
 - IV. The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.
 - V. Application is disposed of in above terms.
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.

10. As Mr. Soham Powar is appointed to represent Respondent No. 2 through legal-aid, professional fees of Rs.10,000/- be paid to him.

(SHIVKUMAR DIGE, J.)