

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

CRIMINAL BAIL APPLICATION NO. 3270 OF 2025

Maruti Tanaji Sutar

.... Applicant

Versus

The State of Maharashtra and Anr.

.... Respondents

Mr. Saurabh P. Tandale a/w Adv. D. M. Latke and Mr. Vishal Mali,
Advocate for the Applicant.

Dr. Ashvini A. Takalkar, A.P.P., for the Respondent – State.

Ms. Rajnandini Katkar, Appointed Advocate for Respondent No.2.

Ms. Pallavi Yadav, A.P.I. Hatakangale Police Station – Present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 19th SEPTEMBER, 2025.

P.C. :

1. Heard learned counsel for the Applicant, learned APP for the Respondent – State and learned counsel for Respondent No.2.

2. Ms. Rajnandini Katkar is appointed to represent for Respondent No.2.

Later on in the afternoon session:

1. By this application, the Applicant is seeking regular bail in connection with C.R. No.140 of 2025 registered with Hatkanangale Police Station, Tal: Hatkanangale, District: Kolhapur, for the offences

punishable on under Sections 74, 78, 351(3), 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short, “BNS Act”) and Section 12 of the Protection of Children from Sexual Offences Act, 2012 (for short, “POCSO Act”).

2. It is prosecution’s case that on 17th March, 2025 the Applicant and co-accused stopped the first informant and her friend and outraged their modesty.

3. It is contention of learned counsel for the Applicant that the Applicant is a student. The co-accused against whom the same allegations are levelled has been released on regular bail, hence, the Applicant is entitled for bail on the ground of principle of parity. Hence, requested to allow the application.

4. It is contention of learned APP along with learned counsel for Respondent No.2 that the co-accused has been released on bail as he is a minor. The Applicant was stopped the first informant and her friend and outraged their modesty. If Applicant is released on bail, he may threaten the victim and prosecution witnesses, and requested to reject the application.

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

6. The Applicant is 23 years old. There is a 7 days delay for lodging the F.I.R. The Applicant is behind bars for more than six months. Investigation is completed and charge-sheet has been filed. The Applicant is a student, if he remained behind bars, his education life will be ruined. The co-accused has been released on bail. Considering these facts, I pass the following order:

ORDER

- i. The Application is allowed.
- ii. The Applicant be released on bail in connection with C.R. No.140 of 2025 registered with Hatkanangale Police Statiion, Tal: Hatkanangale, District: Kolhapur, on furnishing P.R. Bond 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 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.

vii. 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.

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

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

(SHIVKUMAR DIGE, J.)