

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

CRIMINAL BAIL APPLICATION NO. 3271 OF 2025

Shivraj Raosaheb Jadhav ...Applicant
Versus
The State of Maharashtra And Another ...Respondents

Mr. Siddharth Shitole for Applicant.
Mr. Pratik Jadhav for Respondent No.2.
Ms. P. S. Rane, APP for the Respondent No.1-State.

CORAM : SHIVKUMAR DIGE, J.
DATE : 16th SEPTEMBER 2025

P.C.

1. By this application, applicant is seeking regular bail in Crime No.381 of 2025 registered with Vita Police Station, District Sangli for the offences punishable under Sections 78, 79, 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short “BNS”) and Section 12 of the Protection of Children From Sexual Offences Act, 2012 (for short “POCSO”).

2. It is prosecution’s case that during period 21st June, 2025 to 17th July 2025, the applicant and co-accused stalked the minor daughter of first informant and outraged her modesty.

3. It is contention of learned counsel for applicant that applicant is behind bar for more than two months. Investigation is completed and charge-sheet has been filed. Applicant has no antecedents. Hence, requested to allow the application.

4. It is contention of learned APP along with learned counsel for Respondent No.2 that the applicant and co-accused stalked and outraged the modesty of minor victim on several occasions. 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 counsels, perused the FIR and documents produced on record. There is delay in lodging the FIR. The applicant is behind bar for more than two months. Investigation is completed and charge-sheet has been filed. Charge is framed against the applicant. The applicant has no antecedents. Considering these facts, his further detention is not required.

6. In view of the above, I pass the following order :

ORDER

- (i) Application is allowed;
- (ii) The applicant be enlarged on bail in Crime No.381 of 2025 registered with Vita Police Station, District Sangli, on executing P.R.Bond in the sum of Rs.30,000/- with one or two sureties in the like amount.

(iii) The applicant shall not enter in the village Alsand, where the victim stays till recording of evidence of victim.

(iv) The applicant shall not tamper with the evidence or shall not attempt to influence or contact the victim or witnesses or any person concerned with the case.

(v) 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.)