

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

CRIMINAL BAIL APPLICATION NO. 3409 OF 2025

Vijaysinh Gajednra Bandgar ...Applicant

Versus

The State of Maharashtra And Another ...Respondents

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Mr. Darshan Singh Rajpurohit i/b Mr.Ritesh M. Thobde a/w
Mr.Changdev Shingade for Applicant.

Ms. P. S. Rane, APP for the Respondent-State.

Ms. Pallavi Kante (Through V. C.) Advocate for Respondent No.2.

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CORAM : SHIVKUMAR DIGE, J.

DATE : 26th SEPTEMBER 2025

P.C.

1. By this application, applicant is seeking regular bail in Crime No.202 of 2024 registered with Kamati Police Station, District Solapur for the offences punishable under Sections 376, 354(A) and 354(B) of the Indian Penal Code (for short "IPC").

2. It is prosecution's case that on 21st June, 2025 at around 4:30 p.m. when first informant had gone in her field for grazing cattle, at that time the applicant came there and forcefully sexually assaulted her.

3. It is contention of learned counsel for applicant that the first informant is major. The sexual act between the applicant and first

informant was consensual. The CDR produced on record shows that the applicant was in continuous contact with the complainant. The applicant is behind bar for more than one year and three months. There is no progress in the trial. The applicant is Karta of his family. Hence, requested to allow the application.

4. It is the contention of learned APP along with learned counsel for Respondent No.2 that the applicant forcefully sexually assaulted the victim when she was grazing her cattle in field. The applicant and victim are from same village. If applicant is released on bail he may threaten the victim and prosecution witnesses. Hence, requested to reject the application.

5. I have heard all the learned counsels, perused the FIR and documents produced on record. The applicant is behind bar for more than one year and three months. There is no progress in trial. The victim is major. The CDR produced on record shows that the applicant and victim were in continuous contact with each other. 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.202 of 2024 registered with Kamati Police Station, District Solapur, on executing P.R.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 shall not attempt to influence or contact the victim, witnesses or any person concerned with the case.

(iv) 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.)