

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

CRIMINAL BAIL APPLICATION NO. 3332 OF 2025

Dnyanoba@ajeet Mahadev Nile

.... Applicant

Versus

The State of Maharashtra and Anr.

.... Respondents

Mr. Rushikesh Kale (Through VC), Advocate for the Applicant.

Mr. N. B. Patil, A.P.P., for the Respondent – State.

Mr. Ramdas Shelke, Advocate for Respondent No.2.

HC., Shrimant Shankar Pawar, Mangalveda Police Station – Present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 6th OCTOBER, 2025.

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P.C. :

1. The Applicant is seeking regular bail in C.R. No. 494 of 2024 registered with Mangalveda Police Station, Solapur Rural, for the offences punishable under Sections 363, 376(2)(n) of the Indian Penal Code, 1860 (for short, “IPC”) along with Sections 4, 6, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012 (for short, “POCSO Act”).

2. It is prosecution’s case that 30th June, 2024 first informant did not find his minor daughter in his house, hence he lodged

complaint of kidnapping against unknown person. In investigation it revealed that the Applicant had kidnapped the minor daughter of first informant and sexually assaulted her on various occasions on the promise of marriage. Due to sexual assault, the minor daughter of the first informant became pregnant.

3. It is contention of learned counsel for the Applicant that at the time of incident victim was more than 16 years old, there was love affair between the victim and Applicant. Victim herself eloped with the Applicant. The Applicant is behind bars for more than fourteen months. There is no progress in the trial. Hence requested to allow the application.

4. It is contention of learned APP along with learned counsel for Respondent No.2 that the Applicant was aware about the age of the victim, in spite of that, he kidnapped the victim forcefully and sexually assaulted her. As a result of the sexual assault, the victim became pregnant. The Applicant and victim are neighbors. If Applicant is released on bail, he may threaten the victim, prosecution witnesses and neighbors. Hence, requested to reject the application.

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

6. It appears from the record that at the time of incident, the victim was more than 16 years old, whereas the Applicant was 24 years old. The Applicant is behind bars for more than fourteen months. There is no progress in the trial. When the victim was staying with the Applicant, she did not complain to any one. It may take time to conclude the trial. Considering these facts, I pass following order:

ORDER

- i. Application is allowed.
- ii. The Applicant be released on bail in connection with C.R. No. 494 of 2024 registered with Mangalveda Police Station, Solapur Rural, 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 enter in Mangalveda Taluka till recording the evidence of the first informant and victim except attending the Court dates.
- v. The Applicant shall remain present before the trial Court on each date unless exempted by the Trial

Court.

- vi. The Applicant shall not tamper with the evidence or attempt to influence or contact the complainant, victim and witnesses or any person concerned with the case.
 - 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.
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.)