

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

CRIMINAL BAIL APPLICATION NO. 3376 OF 2025

Vaibhav Baban Bhalerao

...Applicant

Versus

The State of Maharashtra And Another

...Respondents

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Mr. Rahul Dhaigude a/w Mr. Ujwal Thombare for Applicant.

Ms.Aarti Prafulla Shah, Advocate for Respondent No.2 through Legal-aid.

Dr. A. A. Takalkar, APP for the Respondent No.1-State.

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CORAM : SHIVKUMAR DIGE, J.

DATE : 14th OCTOBER, 2025

P.C.

1. By this application, applicant is seeking regular bail in Crime No.153/2025 registered with Satara City Police Station, District Satara for the offences punishable under Section 137(2) of the Bharatiya Nyaya Sanhita, 2023 (for short "BNS").

2. It is prosecution's case that on 16th February, 2025 at around 1:30 p.m. the applicant kidnapped the minor daughter of first informant and sexually assaulted her on several occasions on the promise of marriage. It is alleged that at the time of incident the victim was thirteen years and three months old.

3. It is contention of learned counsel for applicant that the applicant is behind bar around seven months. There was love affair between the applicant and victim. The victim and applicant eloped and got married. At the time of incident the applicant was 25 years old. Investigation is completed and charge-sheet has been filed. The applicant has no criminal antecedents. The Applicant is Karta of his family. Hence, requested to allow the application.

4. It is contention of learned APP along with learned counsel for Respondent No.2 that applicant kidnapped the minor daughter of first informant. The applicant was aware about the age of victim, in spite of that he kidnapped her and sexually assaulted her on the promise of marriage. 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. The victim while giving medical history has stated that she had love affair with the applicant. The applicant is behind bar around seven months. The applicant has no criminal antecedents. Investigation is completed and charge-sheet has been filed. It may take time to conclude the trial. Considering these facts his further detention is not required.

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

ORDER

(i) Application is allowed;

(ii) The applicant be enlarged on bail in Crime No.153/2025 registered with Satara City Police Station, District Satara, 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 enter in the area where victim stays.

(iv) 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.

(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. As Ms. Aarti Prafulla Shah is appointed to represent Respondent No.2 through legal-aid, professional fees of Rs.10,000/- be paid to her.

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

(SHIVKUMAR DIGE, J.)