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

CRIMINAL BAIL APPLICATION NO. 3413 OF 2025

Shivaji @ Shivu Nanu ChavanApplicant

Vs.

The State of MaharashtraRespondents
and anr

Mr. Ritesh Thobde a/w Mr. Changdev Shingade, Mr. Darshan Singh Rajpurohit, Mr. Mervin Bardeskar, Mr. Pushkaraj Yadav Deshmukh Advocate for the Applicant

Ms. Supriya Koli appointed through Legal Aid for respondent no. 2

CORAM : SHIVKUMAR DIGE, J.

DATE : 16th OCTOBER 2025

P.C.:

1. By this application, applicant is seeking regular bail in C.R. No. 299 of 2025 registered with Akkalkot South Police Station, District Solapur for offences punishable under Sections 64, 115(2), 352, 351(2) of Bhartiya Nyay Sanhita, 2023.

2. It is the prosecution's case that on 20th May 2025, on the garb of dropping the first informant at her place, the applicant took her in sugarcane field and sexually assaulted her.

3. It is contention of learned counsel for applicant that there is delay of 3 days in lodging the complaint. Applicant is behind the bar around five months. Investigation is completed and charge-sheet has been filed. While giving medical history, the first informant has stated about three incidents of sexual assault. There is discrepancy in the statement of the first informant and requested to allow the application.

4. It is the contention of learned APP alongwith learned counsel for respondent no. 2 that the applicant sexually assaulted the victim by taking her in sugarcane field. Due to fear of the applicant, the victim could not file complaint immediately. The applicant has criminal antecedents. If the applicant is released on bail, he may threaten the first informant and prosecution witnesses. Hence, requested to reject the application.

5. I have heard all the learned counsels, perused F.I.R. and documents produced on record. There is delay of three days in lodging the complaint. There is discrepancy in the statement of the victim before the police and while giving medical history of the incident. Applicant is behind the bar around five months.

Investigation is completed and charge-sheet has been filed. It may take time to conclude the trial.

6. Considering these facts, I pass following order:

ORDER

I. The Application is allowed.

II. The Applicant be enlarged on bail in C.R. No. 299 of 2025 registered with Akkalkot South 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 attempt to influence or contact the witnesses or any person concerned with the case.

IV. The Applicant shall attend the Trial Court dates, regularly.

7. Professional fees of Rs. 10,000/- to be paid to the learned counsel for respondent no. 2 appointed through Legal Aid.

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

9. 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.

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

[SHIVKUMAR DIGE, J.]

IRESH
MASHAL

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IRESH MASHAL
Date: 2025.10.16
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