

Harish

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 3421 OF 2025

Laxman @ Lakhan Bhau Hoval ...Applicant

Versus

The State Of Maharashtra And Another ...Respondents

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Mr. Abhishek Nandimath a/w Vijay Bendgude Advocate for the Applicant.

Mr. Pruthviraj J. Zapate Advocate for Respondent No. 2.

Ms. A. A. Takalkar, APP for the Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 19th DECEMBER, 2025

P.C. :

1. By this application, applicant is seeking regular bail in Crime No.999 of 2020 registered with Sangola Police Station, Solapur Dist-Solapur for the offences punishable under Sections 363, 366-A 376(3) of Indian Penal Code, 1866 and under Sections 4, 8, 12 and 42 of Protection of Children from Sexual Offences Act, 2012.

2. It is prosecution's case that the applicant had kidnapped the minor daughter of the first informant and sexually assaulted her and impregnated her.

3. It is the contention of learned counsel for the applicant that there was love affaire between the applicant and victim. At the time of incident, the victim was 15 years and 6 months old. They stayed together for two years, during that period, the victim did not make hue and cry. The applicant is behind bar more than 3 years and 2 months. There is no progress in trial. The applicant has no antecedents, hence, requested to allow the application.

4. It is contention of learned APP along with respondent no. 2 that at the time of incident, the victim was minor. The applicant was aware about it. At the time of incident the applicant was married and he was 39 years old. Charge is framed, trial is in progress. If the applicant released on bail, he may threaten the victim and prosecution witnesses, hence, requested to reject the application.

5. I have heard all learned counsels, perused the FIR and documents produced on record.

6. At the time of incident, the victim was 15 years and 6 months old. She stayed with the applicant for two years, during that period, she did not make hue and cry. Applicant is behind bar more than 3 years and 2 months. There is no progress in trial. Applicant is a Kart of his family. It may take time to conclude the trial. Considering these facts, I pass following order :

ORDER

- I. The applicant be enlarged on bail in Crime No.999 of 2020 registered with Sangola Police Station, Solapur Dist-Solapur on executing P.R.Bond in the sum of Rs.20,000/- with one or two sureties in the like amount.
 - II. The applicant shall attend the Court dates regularly.
 - III. The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.
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 Mr. Pruthviraj J. Zapate is appointed through Legal Aid Committee to represent respondent no. 2, professional fees of Rs.10,000/- be paid to him.
10. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)