

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

CRIMINAL BAIL APPLICATION NO. 3445 OF 2025

Suraj Shyamrao Bhosale

.... Applicant

Versus

The State of Maharashtra and Anr.

.... Respondents

Mr. Rushikesh Kale (Through VC) a/w Mr. Maruti Sarkar, Advocate for the Applicant.

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

Mr. Rugwed R. Kinkar, Advocate for Respondent No.2.

CORAM : SHIVKUMAR DIGE, J.

DATE : 10th OCTOBER, 2025.

P.C. :

1. The Applicant is seeking regular bail in connection with C.R. No. 615 of 2024 registered with Pandharpur Police Station, District: Solapur, for the offences punishable under Sections 64(2),(I), 351(3) of the Bharatiya Nyaya Sanhita, 2023 (for short, “BNS Act”) along with Section 4, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012 (for short, “POCSO Act”).

2. It is prosecution’s case that the Applicant has sexually assaulted the first informant, who was 15 years and 2 months old at

the time of incident, by luring her to give chocolate.

3. It is contention of learned counsel for the Applicant that there was love affair between the Applicant and victim. The Applicant is behind bars around one year. The Applicant is student, if he remains behind bar his education life will be ruined. Hence, requested to allow the application.

4. It is contention of learned counsel for the Respondent No.2 - First Informant that the first informant has consented to allow the bail application and has no objection. Hence, requested to allow the bail application.

5. It is contention of learned APP that the Applicant sexually assaulted the victim and immediately on the next date, she lodged the complaint. Though, the victim has consented to allow the bail application, her consent could not be considered. Hence, requested to reject the application.

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

7. The allegations against the Applicant that he sexually assaulted the victim. At the time of incident, the victim was 15 years old whereas the Applicant was 24 years old. The Applicant is student,

if he remains behind bars, his education life will be ruined. He is behind bars for around one year. Investigation is completed and charge-sheet has been filed. 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. 615 of 2024 registered with Pandharpur Police Station, District: Solapur, on furnishing P.R. Bond in the sum of Rs.25,000/- 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 remain present before the trial Court on each date unless exempted by the Trial Court.
- v. The Applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witness or any person concerned with the case.
- vi. 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.

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.)