

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

CRIMINAL BAIL APPLICATION NO. 3467 OF 2025

Nisari Ahmed Mohideen Mulla

.... Applicant

Versus

The State of Maharashtra and Ors.

.... Respondents

Mr. Satyajit Shirke a/w Mr. Santosh Musale & Mr. Uday Warunjikar,
Advocate for the Applicant.

Mr. S. H. Yadav, A.P.P., for the Respondent – State.

Mr. Sunil S. Kamble, Advocate for Respondent No. 2.

P. S. Wakale, I.O., Murgud Police Station, Kolhapur – present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 3rd NOVEMBER, 2025.

P.C. :

1. By this application, the Applicant is seeking regular bail in connection with C.R. No.227 of 2025 registered with Murgud Police Station, District: Kolhapur, for the offence punishable under Sections 75, 79 and 352 of the Bharatiya Nyaya Sanhita, 2023 (for short, “BNS Act”) and Sections 8, 10, 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 is teacher of the

victim. During the period of 16th June 2025 to 28th June, 2025 the Applicant outraged the modesty of the victim and her friends.

3. It is contention of learned counsel for the Applicant that the Applicant is behind bar for around four months. The Applicant will not enter the school where the victim is studying. He has applied for transfer from the said school. It may take time to conclude the trial, and requested to allow the application.

4. It is contention of learned APP along with learned counsel for Respondent No.2 that the Applicant is a teacher of the victim. He outraged modesty of the victim and her friends. The police have recorded the statement of the victim under Section 164 of the Cr.P.C. and they have stated about the act done by the Applicant. If the Applicant is released on bail, he may threaten the victim and prosecution witnesses, and requested to reject the application.

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

6. The allegations against the Applicant are that he outraged the modesty of the victim and her friends. The Applicant is behind bar for around four months. Investigation is completed and charge sheet has been filed. It may take time to conclude the trial. The Applicant is

ready to submit an undertaking not to enter the school where the victim studying. 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.227 of 2025 registered with Murgud Police Station, District: Kolhapur, 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 not enter in the Murgud police station except attending the Court dates.
- v. The Applicant shall not enter in the school where the victims are studying.
- vi. The Applicant shall remain present before the trial Court on each date unless exempted by the Trial Court.
- vii. The Applicant shall not tamper with the evidence or attempt to influence or contact the complainant,

witness or any person concerned with the case.

viii. 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.

10. Mr. Sunil S. Kamble is appointed through Legal Aid to represent for Respondent No.2, professions fees of Rs.10,000/- be paid to him.

(SHIVKUMAR DIGE, J.)