

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

**CRIMINAL BAIL APPLICATION NO. 3544 OF 2025**

Sachin Machindra Kalbhor

.... Applicant

**Versus**

The State of Maharashtra and Anr.

.... Respondents

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Mr. Ritesh Thobde a/w Mr. Changdev Shingade and Mr. Darshan Singh Rajpurohit, Advocate for the Applicant.

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

Ms. Prajakta S. Bhilugade, Advocate for Respondent No.2 (Through Legal Aid Committee).

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**CORAM : SHIVKUMAR DIGE, J.**

**DATE : 2<sup>nd</sup> DECEMBER, 2025.**

**P.C. :**

1. By this application, the Applicant is seeking regular bail in connection with C.R. No. 26 of 2025 registered with Tembhurni Police Station, District: Solapur, for the offences punishable under Sections 137(2), 64(2)(m), 69, 96, 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short, “BNS Act”) and Sections 4, 8 and 12 Protection of Children from Sexual Offences Act, 2012 (for short, “POCSO Act”).

2. It is prosecution's case that the Applicant is the cousin of the victim, and he sexually assaulted victim on three occasions on the promise of marriage.

3. It is contention of learned counsel for the Applicant that at the time of incident the victim was more than sixteen years and five months old. She herself had gone with the Applicant and lived with him for three days, but she did not make hue and cry. The Applicant is behind bar for more than nine months. He has no antecedents. Hence, requested to allow the application.

4. It is contention of learned APP along with learned counsel for Respondent No.2 that the Applicant is married and he was 35 years old at the time of incident. In spite of that he took the victim with him and sexually assaulted her on the promise of marriage. 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 all learned counsel, perused F.I.R. and documents produced on record.

6. At the time of incident, the victim was more than sixteen years and five months old. She lived with the Applicant for three days, but she did not make hue and cry. The Applicant has no antecedents

and he is behind bar for more than nine months. It may take time to conclude the trial, and I pass following the order:

**ORDER**

- i. Application is allowed.
  - ii. The Applicant be released on bail in connection with C.R. No. 26 of 2025 registered with Tembhurni 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 not contact the victim and prosecution witnesses.
  - 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.
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. Ms. Prajakta S. Bhilugade is appointed through Legal Aid Committee to represent Respondent No.2, 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.)