

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 3563 OF 2025**

Arbaj Alias Arman Javed Mirajkar ...Applicant
Versus
The State Of Maharashtra and anr ...Respondents

Mr. Danishkhan N. Pathan for the applicant
Ms. Sae Pravin Patil for respondent no. 2
Mr. P. P. Deokar APP for the State.

**CORAM : SHIVKUMAR DIGE, J.
DATE : 23rd DECEMBER, 2025**

P.C.

1. By this application, applicant is seeking regular bail in Crime No. 504 of 2025 registered with Shivaji Nagar Police Station, Ichalkaranji, District Kolhapur for offences punishable under Sections 64(2)(m) 65(1), 74, 75 of Bhartiya Nyaya Sanhita, 2023 and under Sections, 4, 6, 8 and 12 of Protection of Children from Sexual Offences Act, 2012 ('POCSO').

2. It is the prosecution's case that during period January 2025 to 30th July 2025, the applicant sexually assaulted the first informant on several occasions by threatening her. He took nude photos of the first informant on his mobile and he was threatening to make it viral.

3. It is contention of learned counsel for applicant that at the time of incident, the applicant was 18 years old. There was love affair

between the applicant and first informant He is a student. Applicant is behind bar around five months. The medical certificate does not show any injury on the private part of the first informant. Investigation is completed and charge-sheet has been filed and requested to allow the application.

4. It is contention of learned APP alongwith learned counsel for respondent no. 2 that the applicant sexually assaulted the victim who was 14 years and 8 months old at the time of incident. The applicant was aware about her age. If the applicant released on bail, he may threaten victim and prosecution witnesses. Hence, requested to reject the application.

5. I have heard both learned counsels, perused F.I.R. and documents produced on record. There is delay in lodging the complaint. At the time of incident, the applicant was 18 years old. He is a student. It may take time to conclude the trial. The medical report does not show injury on private part of the victim. 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 Crime No. 504 of 2025 registered with Shivaji Nagar Police Station, Ichalkaranji, District Kolhapur 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.

V. The applicant shall not enter in the area where victim stays.

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

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

VIII. 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.

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

(SHIVKUMAR DIGE, J.)