

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 3599 OF 2025**

Rushikesh Sambhaji Madane ...Applicant
Versus
The State of Maharashtra And Anr ...Respondents

Adv. Rahul Dhaigude a/w Sujata Lohar for Applicant.
Dr. A. A. Takalkar, APP for the Respondent-State.
Ms. Vaishnavi M. Mali, Advocate for Respondent No.2.
Mr. Babar (API), Shahupuri Police Station, Satara, present.

CORAM : SHIVKUMAR DIGE, J.
DATE : 16th DECEMBER 2025

P.C.

1. By this application, applicant is seeking regular bail in Crime No.215 of 2025 registered with Shahupuri Police Station, District Satara, for the offences punishable under Sections 64, 65(1), 74, 75, 78, 79, 137(2), 351(2), 351(3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 (for short "BNS") and Sections 4, 6, 8 and 12 of the Protection of Children from Sexual Offences (POCSO) Act, 2012.
2. It is prosecution's case that on 2nd August 2025, the applicant sexually assaulted first informant.
3. It is contention of the learned counsel for the applicant that at the time of incident, the victim was 15 years and 9 months 3 days old. There was love affair between them. The applicant is 25 years

old. The applicant is behind the bar for more than five months. Investigation is completed. The Charge-sheet has been filed. Hence, requested to allow the application.

4. It is the contention of learned APP along with learned counsel for the respondent No.2 that the applicant was aware about the age of victim. He took her to the lodge and sexually assaulted her. If the applicant is released on bail, he may threaten victim and prosecution witnesses and requested to reject the application.

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

6. At the time of incident, victim was 15 years and 9 months 3 days old. It appears that there was friendship between them. The applicant is behind the bar for more than 5 months. Investigation is completed. Charge-sheet has been filed. It may take time to conclude the trial. Considering these facts, further detention of the applicant is not required and I pass the following order :

ORDER

(i) Application is allowed;

(ii) The applicant be enlarged on bail in Crime No.215 of 2025 registered with Shahupuri Police Station, District Satara, on executing PR.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 victim, first informant, witnesses or any person concerned with the case.

(iv) The applicant shall not enter in the area where victim stays.

(v) Applicant shall attend the Trial Court dates, regularly.

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 Adv. Vaishnavi M. Mali is appointed to represent Respondent No.2 through legal-aid, 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.)