

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 3611 OF 2025**

Goutam Alias Gopal Shankar Kamble ...Applicant
Versus
The State of Maharashtra And Anr. ...Respondents

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Mr. D. M. Latake a/w Mr. Nikhil D. Gore a/w Mr. K. J. Modani for Applicant.

Mr. S. S. Chaudhary, APP for the respondent-State

Mr. Sairaj Suryavanshi for respondent no. 2

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**CORAM : SHIVKUMAR DIGE, J.
DATE : 11th DECEMBER 2025**

P.C.

1. By this application, applicant is seeking regular bail in C.R. No. 317 of 2025 registered with Ichalkaranji Police Station, District Kolhapur for offences punishable under Sections 74, 77, 78 351(2) of Bhartiya Nyaya Sanhita, 2023 and under Section 12 of Protection of Children from Sexual Offences Act, 2012.

2. It is the prosecution's case that on 2nd August 2025 at about 5.30 a.m. when members of the first informant family were sleeping, at that time, daughter of the first informant was changing clothes in her room. At that time, the applicant was peeping into the house of

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the first informant from the window. When the first informant confronted the applicant about the said act, at that time, the applicant hugged the first informant and threatened the first informant that he will defame her daughter.

3. It is contention of learned counsel for applicant that Applicant is behind the bar for more than 4 months. Investigation is completed and charge-sheet has been filed. Hence, requested to allow the application.

4. It is contention of learned APP alongwith learned counsel for respondent no. 2 that the applicant has one antecedent of same nature. While on bail, he has committed the offence. If applicant is released on bail, he may threaten prosecution witnesses and requested to reject the application.

5. Learned counsel for respondent no. 2 has relied on *Paltan Yadav Vs. State of Chattisgarh* [MCRC No. 4068 OF 2025], Judgments of Hon'ble Apex Court in the case of *R. K. Tarun Vs. Union of India and Others* [2022 SCC Online Del 4097], *Sonu Vs. State through SHO, PS Paschim Vihar East* [2023 SCC Online Del 1955] and *Pintu Das Vs. State of Govt of NCP of Delhi* [2024 SCC Online Del 4544] and

requested to reject the application.

6. I have heard both learned counsels, perused F.I.R. and documents produced on record. The allegations against the applicant are that he peeped from the window of the first informant's house when her minor daughter was changing clothes and when the first informant confronted the applicant about the said act, he hugged her. Applicant is behind the bar for more than 4 months. Investigation is completed and charge-sheet has been filed. It may take time to conclude the trial. I have gone through the case laws cited by learned counsel for respondent no. 2. The facts of the cited cases are not applicable to the present case. Hence, I pass following order:

ORDER

I. The Application is allowed.

II. The Applicant be enlarged on bail in C.R. No. 317 of 2025 registered with Ichalkaranji Police Station, 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 city of Ichalkaranji till recording of evidence of the first informant and her daughter.

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

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

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.)