

Harish

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO.3674 OF 2025

Anand Sarjerao Jadhav

...Applicant

Vs

The State Of Maharashtra And Anr.

...Respondents.

HARISH
VITHAL
CHAUDHARI

Digitally signed
by HARISH
VITHAL
CHAUDHARI
Date:
2025.12.25
14:35:00 +0530

Adv. V. V. Phatate Advocate for the Applicant.

Ms. Dnyaneshwari S. Utpat Advocate for Respondent No. 2.

Mr. P. P. Deokar, APP for the Respondent-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 23rd DECEMBER, 2025

P.C.

1. By this application, applicant is seeking regular bail in Crime No.365 of 2025 registered with Mohol Police Station, Solapur Rural Dist-Solapur for the offences punishable under Sections 64, 65 and 74 of the Bharatiya Nyay Sanhita, 2023 and under Sections 3, 4, 5, 6, 8 and 12 of Protection of Children from Sexual Offences Act, 2012.

2. It is prosecution's case that on 29th March, 2025 when the minor daughters of the first informant had gone to shop of the applicant for purchasing chocolates, at that time, the applicant inserted his finger in their private part.

3. It is contention of learned counsel for the applicant that the applicant has been falsely implicated in this case. At the time medical examination, while giving history, the victims have stated that the applicant had touched their private part and kissed on back side of the victims. There are no allegations of inserting finger in private part of the victims. Learned counsel further submitted that medical certificate does not show any injury to private part of the victims. Applicant is behind bar around 9 months. Investigation is completed. Chargesheet has been filed. Applicant has no antecedent and requested to allow the application.

4. It is contention of learned APP that the applicant has sexually assaulted two minor daughters of the first informant. If the applicant released on bail, he may abscond or threaten the prosecution witnesses. Hence, requested to reject the application.

5. It is contention of learned counsel for respondent no. 2 that the respondent no. 2 is present in Court and she has no objection to allow the bail application as complaint was lodged due to misunderstanding.

6. I have heard all learned counsel, perused the FIR and documents produced on record.

7. Though in FIR there are allegations against the applicant of

inserting his finger in private part of victims, while conducting medical examination victims have stated that the applicant touched their private part and kissed on their back side. The medical certificate does not show any injury to the private part of the victim. The applicant is behind bar around 9 months. Investigation is completed, chargesheet has been filed. Applicant has no antecedents. Considering these facts, I pass following order:

ORDER

- I. Application is allowed.
 - II. The applicant be enlarged on bail in Crime No.365 of 2025 registered with Mohol Police Station, Solapur Rural Dist-Solapur on executing PR.Bond in the sum of Rs.20,000/- with one or two sureties in the like amount.
 - III. The applicant shall attend the Court dates regularly.
 - IV. The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.
8. The application is allowed in the aforesaid terms and is accordingly disposed off.

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.)