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

CRIMINAL BAIL APPLICATION NO. 4858 OF 2024

Somnath Shivaji Jadhav

...Applicant

Versus

State of Maharashtra and Anr.

...Respondents

Mr. Ranjeet Patil i/b Ganesh Bhujbal for the Applicant.

Ms. A. A. Takalkar, APP for the Respondent-State.

Ms. Suvarna Yadav for Respondent No. 2.

CORAM : SHIVKUMAR DIGE, J.

DATE : 13th OCTOBER, 2025.

P.C.

1. By this application, applicant is seeking regular bail in crime no. 45 of 2024 registered with Vaduj Police Station, District- Satara for the offences punishable under Sections 376, 376(2)(n), 506 of the Indian Penal Code, 1860 and under Sections 4, 6 and 17 of Protection of Children from Sexual Offences Act, 2012.

2. It is prosecution's case that during the period from September, 2023 to November, 2023, the applicant sexually assaulted the first informant by threatening her.

3. It is contention of learned counsel for the applicant that the

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applicant is behind bar more than 19 months. Yet charge is not framed. At the time of incident, the first informant was more than 17 years and 6 months old. There is delay in lodging the FIR. Hence, requested to allow the application.

4. It is contention of learned APP along with respondent no. 2 that the mother of the first informant was behind bar. By taking disadvantage of that, the applicant sexually assaulted the first informant by threatening her. As there was no family member of the first informant available, she could not file complaint immediately. The applicant is relative of the first informant. If the applicant released on bail, he may threaten the first informant and prosecution witnesses. Hence, requested to reject the application.

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

6. Applicant is behind bar more than 19 months. Yet charge is not framed. There is delay in lodging the FIR. At the time of incident the first informant was 17 years and 6 months old. It may take time to conclude the trial. Investigation is completed. Charge-sheet has been filed. Considering these facts, further detention of applicant is not required and I pass following order:

ORDER

- I. Application is allowed.
 - II. The applicant be enlarged on bail in crime no. 45 of 2024 registered with Vaduj Police Station, District-Satara 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 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.
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 Ms. Suvarna Yadav 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.)