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

CRIMINAL BAIL APPLICATION NO. 4538 OF 2024

Prashant Changdeo Navgire ...Applicant
Versus
State of Maharashtra And Anr. ...Respondents

Mr. Tushar Sonavane a/w Mr. Somnath Thengal for Applicant.

Ms. A. A. Takalkar, APP for the Respondent No.1-State.

Ms. Savvy Kolhekar for Respondent No.2.

CORAM : SHIVKUMAR DIGE, J.

DATE : 8th SEPTEMBER 2025

P.C.

1. By this application, applicant is seeking regular bail in Crime No.133 of 2024 registered with Karkamb Police Station, District Solapur for the offences punishable under Sections 363, 376(3), 376(2)(n), 354(D), 506 of the Indian Penal Code (for short "IPC") and Sections 4, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012.

2. It is prosecution's case that on 24th May 2024 the minor daughter of the first informant was kidnapped by unknown person hence complaint was lodged against the unknown person. During investigation, police apprehended applicant along with victim. Police

SAJAKALI LIYAKAT JAMADAR
Digitally signed by SAJAKALI LIYAKAT JAMADAR
Date: 2025.09.09 17:42:49 +0530

recorded the statement under Section 164 of Cr.P.C. of victim. In the said statement she has stated that Applicant had given mobile to her and he was chatting with her on said mobile phone. He thereafter kidnapped her and kept her at Nandurbar in his relative's house. He married with her and sexually assaulted her.

3. It is contention of learned counsel for applicant that there was love affair between the applicant and victim. At the time of incident victim was more than 14 years old whereas applicant was 19 years old. Victim voluntarily went with the applicant. She has resided with him for one month but she did not raise hue and cry. Applicant is behind bar for more than one year. He was studying in 12th standard. If he remains behind bar, his education life will be ruined.

4. It is contention of learned A.P.P. for Respondent No.1-State and learned counsel for Respondent No.2 that applicant was aware the age of victim. He kidnapped her and married with her. He sexually assaulted her. If applicant released on bail, he may threaten the victim and prosecution witnesses. Hence, request to reject the application.

5. I have heard all the learned counsels, perused the FIR and documents produced on record. It appears from the record that after leaving home, the victim resided with applicant for one month, but

she did not make hue and cry till arrest of the applicant by the police. At the time of incident the applicant was 19 years old and victim was more than 14 years old. The applicant is 12th Standard student. If he remains behind bar, his education life will be ruined. He is behind bar for more than one year. Investigation is completed and charge-sheet has been filed. It may take time to conclude the trial. Considering these facts, his further detention is not required.

6. In view of the above, I pass the following order :

ORDER

(i) Application is allowed;

(ii) The applicant be enlarged on bail in Crime No.133 of 2024 registered with Karkamb Police Station, District Solapur, on executing P.R.Bond in the sum of Rs.30,000/- with one or two sureties in the like amount.

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. The learned counsel for Respondent No.2 is appointed through legal aid panel. Her remuneration/fees be paid as per the Rule.

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

(SHIVKUMAR DIGE, J.)