

Harish

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

CRIMINAL BAIL APPLICATION NO.4893 OF 2024

Rajendra@ Balu Gulab Dhere	Applicant
Vs.	
State Of Maharashtra	Respondent

HARISH
VITHAL
CHAUDHARI

Digitally signed
by HARISH
VITHAL
CHAUDHARI
Date:
2025.09.11
18:43:17
+0530

Mr. Ramnik Powar a/w Rahul Gupta & Parvej Nadaf for the Applicant.
Ms. Dr. Ashvinin A Takalkar , APP for the Respondent-State.
Mr. Ayush Pasbola for Respondent No. 2 (Through V. C.).

CORAM : SHIVKUMAR DIGE, J.

DATE : 10th SEPTEMBER 2025

P.C.:

1. By this application, the applicant is seeking regular bail in C.R.No. 300 of 2024 registered with Kavathe-Mahankal Police Station, Dist- Sangli for the offences punishable under Section 64, 333, 332(b), 115(2), 351(2) and 351(3) of the Bharatiya Nyaya Sanhita, 2023.
2. It is the prosecutions case that on 3rd July, 2024 at around 12.30 p.m. when the first informant was alone present in her house at that time, the applicant barged in her house and sexually assaulted her by laying her on ground and by manhandling her.

3. It is the contention of learned counsel for the applicant that there is a delay of one day in lodging the FIR. The relation between the applicant and the first informant were consensual. The applicant is behind bar one and half year. Investigation is completed. Chargesheet has been filed. Hence, requested to allow the application.

4. It is the contention of the learned APP along with learned counsel for respondent no. 2 that the applicant forcefully entered in the house of the first informant, manhandling her and forced her to lay on ground and sexually assaulted her. The medical report supports the statement of the victim. If the applicant is released on bail, he may threaten the victim and prosecution witnesses. Hence, he requested to reject the application.

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

6. There is a delay of one day in lodging the FIR. Though it is the contention of learned counsel for the applicant that the relations between the applicant and the victim is consensual, it is part of trial. The victim is major. Applicant is behind bar

more than one year. Investigation is completed. Chargesheet has been filed. It may take time to conclude the trial. Applicant has no antecedents. Considering the above facts, further detention of the applicant is not required.

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

ORDER

- (i) The application is allowed.
- (ii) The applicant be enlarged on bail in C.R.No. 300 of 2024 registered with Kavathe-Mahankal Police Station, Dist: Sangli, on executing P. R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount.
- (iii) The applicant shall attend the trial court proceeding regularly.
- (iv) The applicant shall attend the concerned police station as and when required.
- (v) The applicant shall inform his latest place of residence and mobile number immediately after being released and/or change of residence or mobile details, if any, from time to time to the Investigating Officer.
- (vi) 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 of.

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.]