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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIRCUIT BENCH AT KOLHAPUR

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 1176 OF 2025

Prabudhha Ramesh Bale

.....Applicant

Vs.

The State of Maharashtra
and anr

.....Respondents

Mr. Kunal V. Patil i/b Mr. Asif Mulla for the applicant

Mr. Nitin N. Nikam for respondent no. 2

Mr. S. S. Chaudhari APP for the State

CORAM : SHIVKUMAR DIGE, J.

DATE : 25th AUGUST 2025

PC.:

1. By this application, applicant is seeking regular bail in C.R. No. 320/2024 registered with Gandhinagar Police Station, District Kolhapur for offences punishable under Section 137 of Bhartiya Nyay Sanhita, 2023.

2. It is the prosecution's case that on 31st July 2024, first informant, father of the victim had lodged complaint with the police stating that some unknown person had kidnapped his

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daughter by inducing her. In investigation, police found the victim with the applicant. In statement before the police, victim has stated that the applicant had kidnapped her and he sexually assaulted her, due to that she got pregnant. Thereafter, said pregnancy was terminated. It is the contention of the learned counsel for the applicant that at the time of incident, victim was more than 17 years and 2 months old. There was love relation between the applicant and victim. Victim herself had gone with the applicant. They had gone on motorcycle and stayed at Kolhapur. Victim never raised hue and cry when she was going with the applicant. It shows love relation between them. Applicant is behind the bar for more than one year. Though charge is framed, there is no progress in the trial. At the time of incident, applicant was 24 years old. Hence, requests to allow the application.

3. It is the contention of learned APP alongwith learned counsel for respondent no. 2 that applicant is cousin of the victim. He kidnapped the victim and he sexually assaulted her. Due to sexual assault, victim got pregnant. Victim has stated before the police about the act done by the applicant. Applicant

was aware that victim was minor. In spite of that, he kidnapped her and sexually assaulted her. If applicant is released on bail, he may threaten victim, prosecution witnesses and requested to reject the application.

4. I have heard all learned counsel, perused F.I.R. and documents produced on record. At the time of incident, victim was more than 17 years and two months old. Victim stayed with the applicant in rented room. She never raised hue and cry against the applicant when she was staying with him. Applicant is behind the bar for more than one year. Though charge is framed, there is no progress in trial. At the time of incident, applicant was 24 years old. It may take time to conclude the trial.

5. Considering these facts, further detention of applicant is not required and I pass following order :

ORDER

I. Application is allowed.

II. Applicant be enlarged on bail in C.R. No. 320/2024 registered with Gandhinagar Police Station, District Kolhapur on executing P.R.Bond in the sum of Rs.30,000/-

with one or two sureties in the like amount.

III. Applicant shall not tamper with the evidence or attempt to influence or contact the witnesses or any person concerned with the case.

IV. Applicant shall not contact victim and her family members.

V. Applicant shall not enter in village where victim stays, till recording of evidence of the victim.

VI. Applicant shall attend the Trial Court dates, regularly.

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

7. 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.

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

[SHIVKUMAR DIGE, J.]