

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

CRIMINAL BAIL APPLICATION NO. 1256 OF 2025

Taslim Mohamad Khan ...Applicant
Versus
State of Maharashtra And Anr. ...Respondents

Mr. Kuldeep U. Nikam a/w Mr. Onkar Bajaj for Applicant.
Ms. Kanchan Pawar, for Respondent No.2 through legal-aid.
Dr. Ashvini A. Takalkar, APP for the Respondent No.1-State.
Mr. N. S. Raskar LHC, Dahiwadi Police Station, present.

CORAM _____ : **SHIVKUMAR DIGE, J.**
DATE : **11th SEPTEMBER 2025**

P.C.

1. By this application, applicant is seeking regular bail in Crime No.377 of 2024 registered with Dahiwadi Police Station, District Satara for the offences punishable under Section 107 of the Bharatiya Nyaya Sanhita, 2023 (for short “BNS”) and Subsequently Sections 64, 74, 75, 76, 332(b), 351 and 352 of the BNS along with Sections 4, 6, 8 & 12 of the Protection of Children From Sexual Offences Act, 2012 (for short “POCSO Act”) were added.

2. It is prosecution’s case that applicant had sexually assaulted the minor daughter of the first informant, hence case was lodged against him. He was released on bail in the said crime and thereafter

continuously harassing the minor daughter of the first informant by making phone calls to her by different numbers. Due to continuous harassment by the applicant, the minor daughter of the first informant has committed suicide.

3. It is contention of learned counsel for applicant that applicant is behind bar for more than one year. Investigation is completed and charge-sheet has been filed. At the time of incident, the applicant was staying at Satara, whereas the deceased was staying at Gondwale Budruk. The co-accused against whom, the allegations of sexual assault on deceased has been released on bail. Hence, requested to allow the application.

4. It is contention of learned A.P.P. along with Respondent No.2 that offence under the POCSO Act is registered against the applicant alleging that he kidnapped the deceased and sexually assaulted her. After releasing on bail, he continuously harassing the deceased by making phone calls to her. Due to his continuous harassment, the deceased has committed suicide. The N.C. was also lodged by the deceased against the applicant. The C.D.R. produced on record shows that the applicant was making phone calls to the deceased. If applicant released on bail, he may threaten prosecution witnesses. Hence, requested to reject the application.

5. I have heard all the learned counsels, perused the FIR and documents produced on record. The Applicant is behind bar for more than one year. Investigation is completed and charge-sheet has been filed. The Applicant has been released on bail in the POCSO Act registered against him. 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.377 of 2024 registered with Dahiwadi Police Station, District Satara, on executing PR.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. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)