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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIRCUIT BENCH AT KOLHAPUR

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 2329 OF 2025

Bramhanath Sukhdeo LandageApplicant

Vs.

The State of Maharashtra and orsRespondents

Mr. Amol Kumar Jadhav, Mr. Prashant Kamble, Mr. Akash Chavan, Mr. Kunal Rathod

Ms. Vishakha Patil for respondent no. 3

Mr. S. S. Chaudhari APP for the State

Mr. B. S. Dhavale, PI, Sadar Bazar Police Station

CORAM : SHIVKUMAR DIGE, J.

DATE : 22nd AUGUST 2025

P.C.:

1. Ms. Vishakha Patil is appointed to represent respondent

no. 3.

2. Learned counsel for the applicant submits that he will remove objectionable photographs of the victim immediately from the file and the learned Registrar is directed to remove the objectionable photographs of the victim from proceedings.

3. By this application, applicant is seeking regular bail in

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C.R. No. 105/2025 registered with Sadar Bazar Police Station, Solapur for offences punishable under Sections 64 and 74 of the Bhartiya Nyay Sanhita, 2023.

4. It is the prosecution's case that from 7th November 2024 till filing of the complaint, applicant sexually assaulted the first informant at various places on the ground of providing job of legal advisor to her.

5. It is the contention of learned counsel for applicant that applicant is behind bar for more than 6 months. First informant stayed with the applicant for two months but she did not complain to anyone about the sexual assault on her. It is alleged that first sexual assault was done on her at her native place but she did not complain to anyone. The physical relationship between the applicant and the first informant were consensual. Investigation is completed and charge-sheet has been filed. Hence, requested to allow the application.

6. It is the contention of learned APP alongwith learned counsel for respondent no. 2 that applicant sexually assaulted the victim by promising her that he will provide her job of legal

advisor. Learned APP further submitted that there would be chances of human trafficking also. Learned APP submits that applicant has seven antecedents. Learned APP submits that If applicant is released on bail, he may threaten the first informant, prosecution witnesses and requested to reject the application.

7. I have heard all the learned counsel, perused F.I.R. and documents produced on record. The first informant is around 40 years old. It appears from the record that relations between the applicant and the first informant were consensual. There is delay in lodging F.I.R. The first informant has refused for medical examination. Applicant is behind the bar for more than six months. Investigation is completed and charge-sheet has been filed. It may take time to conclude the trial.

8. 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. 105/2025 registered with Sadar Bazar Police Station, Solapur 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 attend the concerned police station as and when required by the Investigating Officer and shall cooperate in the investigation.

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

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

10. The Legal Services Authorities shall pay appropriate remuneration as per Rules to the learned counsel for respondent no. 3.

11. 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.

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

[SHIVKUMAR DIGE, J.]