

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

CRIMINAL BAIL APPLICATION NO. 2497 OF 2025

Nitin Rajaram Pawar ...Applicant  
Versus  
The State of Maharashtra & Anr. ...Respondents

Mr. Shailesh D. Chavan a/w Mr. Shrikant Panhale and Mr. Sachin R. Pawar for Applicant.

Ms. Keral Mehta for Respondent No.2 Through V.C.

Mr. N. B. Patil, APP for the Respondent No.1-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 9<sup>th</sup> SEPTEMBER 2025

PC.

1. By this application, applicant is seeking regular bail in Crime No.31 of 2025 registered with Satara City Police Station, District Satara for the offences punishable under Sections 64, 137(2), 49, 54, 75, 78, 3(5), 78 of the Bharatiya Nyaya Sanhita, 2023 (for short “BNS”) and Sections 4, 6, 8 & 12 of the Protection of Children from Sexual Offences Act, 2012.

2. It is prosecution’s case that applicant was driver on the school bus in which the victim was going to school. On 21<sup>st</sup> October

2024 applicant took the victim in his house and sexually assaulted her. Thereafter he posted the photo of celebrating birthday with her on social media. At the time of incident the victim was 15 years and 10 months old.

3. It is contention of learned counsel for applicant that applicant is behind bar for more than eight months. There is delay of around three months in lodging complaint. The complaint was lodged by the first informant when she noticed the photograph of the applicant with victim on social media. Earlier no complaint was filed about sexual assault. Applicant is Karta of his family. It may take time to conclude the trial. Hence, requested to allow the application.

4. It is contention of learned A.P.P. along with Respondent No.2 that applicant was school bus driver of the victim. By taking disadvantage of it, he took the victim to his house and sexually assaulted her. He was aware about the age of victim. He took photograph with her and put it on social media. If applicant released on bail, he may abscond or threaten the victim or prosecution witnesses. Hence, requested to reject the application.

5. I have heard all learned counsels, perused the FIR and documents produced on record. There is delay of more than three months in lodging the FIR. Applicant is behind bar for more than

eight months. Investigation is completed and charge-sheet has been filed. Applicant is Karta of his family. 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.31 of 2025 registered with Satara City Police Station, District Satara, on executing PR.Bond in the sum of Rs.30,000/- with one or two sureties in the like amount.

(iii) The applicant shall not enter into the area where victim stays and shall not contact her and prosecution witnesses.

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.)