

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

CRIMINAL BAIL APPLICATION NO. 2871 OF 2025

Nitesh Rajaram Ruptakke ...Applicant
Versus
State of Maharashtra And Anr. ...Respondents

Mr. Sukumar R. Ghanvat for Applicant.

Mr. Changdev Shingade for Respondent No.2. (Appointed Advocate)

Dr. Ashvini A. Takalkar, APP for the Respondent-State.

Mr. Nilesh Shivaji Dhole, Talgaon Police Station, present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 9th SEPTEMBER 2025

P.C.

1. By this application, applicant is seeking regular bail in Crime No.24 of 2025 registered with Tasgaon Police Station, District Sangli for the offences punishable under Sections 64, 64(2)(m), 336(2), 337, 351(3) of the Bharatiya Nyaya Sanhita, 2023 (for short “BNS”) and Sections 4, 5(l), 5(j)(2), 6, 8, 12 and 17 of Protections of Children From Sexual Offences Act, 2012 and Sections 9, 10 & 11 of the Child Marriage Restraints Act,2006.

2. It is prosecution’s case that during the period of February 2024 to January 2025 applicant sexually assaulted the victim by

giving threat. Thereafter he married with her. She got pregnant and delivered the child but the said child died thereafter.

3. It is contention of learned counsel for applicant that applicant got married with the victim. At the time of incident when victim got married, she was 17 years old. Applicant is behind bar for more than eight months. Investigation is completed and charge-sheet has been filed. Hence, requested to allow the application.

4. It is contention of learned A.P.P. and learned counsel for Respondent No.2 that applicant sexually assaulted the victim, who was minor. Thereafter he married with her and she delivered the child. Child is died. Applicant was aware about the age of victim. If applicant released on bail, he may abscond or threaten the prosecution witnesses and requested to reject the application.

5. I have heard both learned counsels, perused the FIR and documents produced on record. As per prosecution's case applicant married with the victim after sexual assault. The applicant got married with the victim with the consent of her parents. Investigation is completed and charge-sheet has been filed. It may take time to conclude the trial. Applicant is Karta of his family. Considering these facts as well as applicant is behind bar for more than eight months, 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.24 of 2025 registered with Tasgaon Police Station, District Sangli, on executing P.R.Bond in the sum of Rs.30,000/- with one or two sureties in the like amount.

(iii) The applicant shall not tamper with the evidence or attempt to influence or contact the victim, witnesses or any person concerned with the case.

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. Learned counsel for Respondent No.2 is appointed through legal-aid Panel. Appropriate fees/remuneration be given to them.

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

(SHIVKUMAR DIGE, J.)