

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

ANTICIPATORY BAIL APPLICATION NO. 1245 OF 2025

Asha Santosh Ghadage ...Applicant
Versus
The State of Maharashtra And Anr. ...Respondents

Mr. Narendra V. Sharma a/w Mr. Rachit Khamparia for Applicant.

Mr. Vikrant Shinde for Respondent No.2 (Appointed Advocate).

Mr. Shrikant Yadav, APP for the Respondent No.1-State.

CORAM : SHIVKUMAR DIGE, J.

DATE : 10th SEPTEMBER 2025

P.C.

1. Applicant is apprehending arrest in Crime No.532 of 2024 registered with Koregaon Police Station, Dist. Satara for the offences punishable under Sections 64, 115(2), 351(2), 351(3), 3(5) of the Bhartiya Nyaya Sanhita (for Short “BNS”) and Sections 4 & 6 of the Protection of Children From Sexual Offences Act, 2012.

2. It is prosecution’s case that on 28th November 2024, accused No.1 took victim on his motorcycle and sexually assaulted her. It is alleged that applicant forcefully asked the victim to sit on motorcycle of accused No.1 and he helped in the commission of crime.

3. It is contention of learned counsel for applicant that the main allegations are against the accused No.1. Applicant was not aware about the act done by accused No.1. She had gone with the victim in the school and thereafter she had asked the accused No.1 to drop the victim of her house as accused No.1 was carrying motorcycle, but she was not aware about the intention of accused No.1. Hence, requested to allow the application.

4. It is contention of learned APP and learned counsel for Respondent No.2 that applicant and accused No.1 took the victim to the school and thereafter applicant forcefully seated the victim on motorcycle of accused No.1, which shows that applicant was aware about the intention of accused No.1 and thereafter accused No.1 sexually assaulted the victim. The applicant has helped in the crime committed by accused No.1. Considering the allegations against the applicant, her custodial interrogation is required. Hence, requested to reject the application.

5. I have heard all the learned counsels, perused the FIR and documents placed on record. It appears from the complaint that applicant had asked accused No.1 to drop the victim at her house, thereafter accused No.1 took the victim at secluded place and sexually assaulted her. It does not appear that applicant helped

accused No.1 to commit the crime. Considering these facts, her custodial interrogation is not required. Hence, I pass the following order.

ORDER

- (i) Application is allowed;
 - (ii) In the event of arrest, the applicant be enlarged on bail in Crime No.532 of 2024 registered with Koregaon Police Station, Dist. Satara, 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 attend the concerned police station as and when required.
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 anticipatory 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.)