

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

Bail Application No.2808 of 2024

Vijaypal Balaram
Age-23 yrs Occ: Labour,
R/o Ward No.14,
Dhalia NGC, Hanumangad, Satipara,
Rajasthan State.
(Nashik Road Central Jail).

... Applicant.

Versus

The State of Maharashtra
(through the Vadnerbhairav Police Station)

....Respondent.

None for the Applicant.

Mr Arfan Sait, APP, for Respondent / State.

Coram: R.N. Laddha, J.

Date: 11 September 2025.

P.C.:

By this application, the applicant seeks bail under Section 439 of the Code of Criminal Procedure Code, 1973, in connection with CR No.107 of 2024, registered with Vader Bhairav Police Station, Nashik Rural, for offences punishable under Section 363, 366(A) and 376 of the Indian Penal Code, and Sections 4, 8 and 12 of Protection of Children from Sexual Offences Act, 2012.

2. None present on behalf of the applicant. The present application was filed on 6 July 2024. Previously, on 11 July 2025 and 18 August 2025, none appeared for the applicant.

3. The learned APP appearing on behalf of the respondent/State, on instructions, apprises the Court that during the pendency of the present bail application, a charge sheet was filed and a charge was framed on 15 January 2025. He further submits that during the pendency of the present application, the applicant preferred another bail application before the Sessions Court, which was rejected on 20 August 2024. The learned APP further argues that the applicant established contact with the victim via the Sharechat App, during which he misrepresented himself as the owner of two companies and a retail establishment. Through these deceptive claims, he persuaded her to leave the care of her legal guardian and travel to Delhi, subsequently proceeding to Dhaliya, Rajasthan, where he unlawfully detained her at his residence and forcibly committed rape on her. He further asserts that the nature of the offence is quite serious, involving significant implications for both the victim and the community at large. Furthermore, as the trial has already commenced with testimonies of key witnesses being presented, the learned APP argues that the applicant's request is untimely and unwarranted

at this stage, and his release on bail would hinder the pursuit of justice.

4. Upon a careful examination of the records, it appears that the applicant removed the minor victim from the care of her lawful guardian by persuading her with a lucrative employment opportunity, and ultimately, confining her at his residence and committing rape on her. A perusal of the statements of the victim recorded under Sections 161 and 164 of the CrPC reveals that there is no inconsistency. She categorically stated that the applicant took her to his residence in Rajasthan under the guise of employment, confined her, and committed rape. The key allegations align with the medical evidence. There is no apparent reason to falsely implicate the applicant. *Prima facie*, there is sufficient material on record to indicate the applicant's involvement in the crime. Considering the gravity of the offence, the commencement of the trial, and the material placed on record, this Court is not inclined to grant bail to the applicant. As a result, the application stands rejected.

[R.N. Laddha, J.]