

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

BAIL APPLICATION NO. 3300 OF 2024

Sagar Balasaheb Kore

...Applicant

Versus

1. The State of Maharashtra

2. XYZ

...Respondents

....

Mr. Prasad Kulkarni, Advocate for the Applicant.

Adv. S. S. Chaudhari, A.P.P. for the Respondent No.1 – State.

Ms. K. Pawar, Apointed Legal Aid Advocate for Respondent No.2.

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CORAM : N. R. BORKAR, J.

DATE : 27th FEBRUARY, 2025.

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No.107 of 2024 registered at Mahalunge MIDC Police Station, Pune City, District : Pune for the offences punishable under Sections 376(2)(n), 376(3) of the Indian Penal Code, 1860 (IPC) and Sections 3(a), 4, 5(j)(2), 5(L), 6, 8, of the Protection of Children from Sexual Offences Act (POCSO), 2012.
3. The allegations against the applicant are of penetrative sexual assault.
4. I have heard the learned counsel for the applicant, learned A.P.P. for the Respondent-State, the learned counsel for

the Respondent No.2/Victim and perused the statement of the victim recorded under Section 164 of the Cr.P.C..

5. The victim has stated that the alleged physical relationship was consensual. The learned A.P.P. submits that the victim was hardly 13 years 3 months old. However, considering the statement of the victim and as the applicant is in jail for one year, I am inclined to release him on bail.

ORDER

- (i) Criminal Bail Application is allowed;
- (ii) The applicant is directed to be released on bail in connection with Crime No.107 of 2024 registered at Mahalunge MIDC Police Station, Pune City, District : Pune for the offences punishable under Sections 376(2)(n), 376(3) of the Indian Penal Code, 1860 (IPC) and Sections 3(a), 4, 5(j)(2), 5(L), 6, 8, of the Protection of Children from Sexual Offences Act (POCSO), 2012 on executing PR. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount;
- (iii) The applicant shall not contact the victim;
- (iv) The applicant shall not enter into the limits of Taluka Khed till the conclusion of trial;
- (v) Application stands disposed of accordingly.

(N. R. BORKAR, J.)