

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

CRIMINAL BAIL APPLICATION NO. 3855 OF 2024

Vikas Sanjay Bhosale

...Applicant

VERSUS

The State of Maharashtra & Anr.

...Respondents

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Mr. Niranjan Bhavake a/w Ms. Swamini Thakur a/w Mr. Anurag Ramekar i/b Bhavake and Associates, Advocate for the Applicant.

Mr. S. V. Walve, A.P.P. for the Respondent – State.

Mr. Paras Yadav, Advocate for Respondent No.2.

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CORAM : N. R. BORKAR, J.
DATE : 25.02.2025.

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No. 759 of 2019 registered at Bhosari Police Station, Dist Pune for the offences punishable under Sections 376(2)(j), 376(3), 366(a) & 363 r/w 34 of the Indian Penal Code and under Sections 4, 8, 16(2) & 17 of the Protection of Children from Sexual Offences Act, 2012.
3. The allegations against the applicant are that he compelled the victim to elope with him and committed forcible sexual intercourse with her.

4. The bail is sought on the ground of long incarceration as under-trial prisoner. The learned counsel for the applicant submits that the applicant is in jail for five years and six months and the trial is still at the stage of framing of charge.

5. On the other hand, the learned APP for the Respondent-State submits that at the time of incident victim was hardly thirteen years old. It is submitted that considering the nature of offence the applicant may not be released on bail.

6. The learned counsel for the Respondent No.2/victim submits that the victim has no objection if the applicant is released on bail.

7. Considering the overall facts and circumstances of the case, I am inclined to release the applicant on bail. In the result, the following order is passed:

ORDER

A] The Application is allowed.

B] The applicant be released on bail in Crime No. 759 of 2019 registered at Bhosari Police Station, Dist Pune for the offences punishable under Sections 376(2)(j), 376(3), 366(a) & 363 r/w 34 of the Indian Penal Code and under Sections 4, 8, 16(2) & 17 of the Protection of Children from Sexual Offences Act, 2012, on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees

Twenty Five Thousand) with one or two sureties in the like amount.

8. Application stands disposed of accordingly.

(N. R. BORKAR, J.)