

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

CRIMINAL BAIL APPLICATION NO. 4291 OF 2024

Hemant Manohar Shinde ...Applicant
Versus
The State of Maharashtra And Anr. ...Respondents

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Mr. Narayan Rokade a/w Mr. Rakesh Sonar, Mr. Siddharth. R. Ghodke, Mr. Abhang Suryawanshi, Mr. Ramchandra Wagh, Advocate for the Applicant.

Mr. Nikhil Maneshinde, Advocate for the Respondent No.2.

Mr. Vinod Chate, A.P.P. for the Respondent No.1 – State.

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CORAM : N. R. BORKAR, J.
DATE : 30th APRIL, 2025

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No. 87 of 2024 registered at Talegaon Dabhade Police Station, for the offences punishable under Section 377 of the Indian Penal Code and Sections 3(a), 4, 11(2), 12, 16(2), 17, 9(m), 9(n) & 10 of the Protection of Children from Sexual Offences Act, 2012.
3. The applicant is the maternal uncle of the victim boy. According to the prosecution, on the date of incident which

This order is corrected pursuant to speaking to minutes of order dated 11.07.2025.

took place on 26/12/2023, the applicant had gone to the school, where the victim was studying and there committed unnatural sex with him. The complaint is lodged by the mother of the victim.

4. I have heard the learned counsel for the applicant, learned counsel for the Respondent No.2/Victim and the learned A.P.P. for the Respondent No.1-State.

5. The learned counsel for the applicant submits that the victim and the complainant were residing with applicant due to matrimonial differences between the complainant and her husband. It is submitted that due to property dispute, the complainant has lodged the false report against the applicant. In support of the submission, the learned counsel for the applicant has drawn my attention to the statement of the mother of the complainant Yashoda Shinde.

6. On the other hand, the learned A.P.P. for the Respondent-State and the learned counsel for the Respondent No.2/Victim submits that considering the nature of crime, the applicant may not be released on bail.

7. I have perused the statement of Yashoda Shinde. It appears from her statement that the complainant used to quarrel with the present applicant for ancestral property. The applicant is in jail for one year and two months and except framing of charge, there is no progress in the trial. Considering the over all facts and circumstances of the case, I am inclined to release the applicant on bail.

ORDER

- (i) Criminal Bail Application is allowed;
- (ii) The applicant is directed to be released on bail in connection with Crime No. 87 of 2024 registered at Talegaon Dabhade Police Station, for the offences punishable under Section 377 of the Indian Penal Code and Sections 3(a), 4, 11(2), 12, 16(2), 17, 9(m), 9(n) & 10 of the Protection of Children from Sexual Offences Act, 2012, on executing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount;
- (iii) The applicant shall not enter into the limits of Talegaon-Dabhade Police Station till conclusion of trial.
- (iv) Application stands disposed of accordingly.

(N. R. BORKAR, J.)