

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

BAIL APPLICATION NO. 183 OF 2025

Ishwar Bandu Sarode	...Applicant
Versus	
The State of Maharashtra & Anr.	...Respondents

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Mr. Yash Arora a/w Mr. Vishal Bhogle, Advocate for the Applicant.

Mr. S. S. Chaudhary, A.P.P. for the Respondent No.1– State.

Ms. Kanchan Pawar, Appointed Advocate for the Respondent No.2.

Mr. Abhay S. Kadam (PSI), Panvel City Police Station, present.

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CORAM	:	N. R. BORKAR, J.
DATE	:	07th MAY, 2025.

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No.463 of 2024 registered at Panvel city Police Station, District : Raigad, for the offences punishable under Sections 137, 64(2)(m) of the Bhartiya Nyaya Sanhita, 2023 and Sections 4, 8 of the Protection of Children from Sexual Offences Act, 2012 (for short 'POCSO').
3. FIR is lodged by the mother of the victim aged 17 years & 10 months.

4. On 26.07.2024, the victim's mother dropped her at Vithoba Bhagat's tailor shop for tailoring classes. After some time, the applicant reached there and the victim left with him after informing Vithoba Bhagat that she had some urgent work at home. Thereafter, as the victim did not return home for a while, her family along with Vithoba Bhagat searched for her and later filed a missing report.

5. During investigation it was revealed that there was a love affair between the victim & the applicant (aged 29 at the relevant time) for the past 6 months prior to the incident. Accordingly the applicant was arrested and the victim was found with him.

6. The victim informed that after they eloped from Panvel, they travelled to Pandharpur and stayed there for 3 days. Thereafter, they travelled to Parbhani and stayed at the applicant's house. There, the applicant committed forcible sexual intercourse with the victim multiple times. Subsequently, they travelled to Jalna where they stayed with the applicant's family.

7. The learned counsel for the applicant submits that the applicant and the victim were in love relationship. It is submitted that the applicant is in jail for ten months and there are no other criminal antecedents.

8. On the other hand, the learned A.P.P. for the Respondent-State and learned counsel for the Respondent No.2/Victim submit that the victim was forcibly taken to

various places and subjected to forcible sexual intercourse. It is submitted that at the relevant time the victim was aged about 17 years and 10 months.

9. I have perused the statement of the victim recorded under Section 161 of the Cr.P.C.. It appears that the applicant and the victim were in love relationship. The applicant is in jail for 10 months. Considering the overall 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.463 of 2024 registered at Panvel city Police Station, District : Raigad, for the offences punishable under Sections 137, 64(2)(m) of the Bhartiya Nyaya Sanhita, 2023 and Sections 4, 8 of the Protection of Children from Sexual Offences Act, 2012 (for short 'POCSO') on executing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount;
- (iii) Application stands disposed of accordingly.

(N. R. BORKAR, J.)