

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

CRIMINAL BAIL APPLICATION NO. 1786 OF 2025

Ayush Anand Bhoite

...Applicant

VERSUS

The State of Maharashtra and Anr.

...Respondents

....

Mr. Suhas Rohile, Advocate for the Applicant.

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

Mr. Yuvraj Dhole, for the Respondent No.2.

....

CORAM : N. R. BORKAR, J.

DATE : 28.04.2025.

P.C.:

1. This is an application for temporary bail.
2. The applicant came to be arrested in Crime No. 22 of 2025 registered at Ravet Police Station, Pimpri-Chinchwad for the offences punishable under Sections 64(1) & 3(5) of the Bhartiya Nyaya Sanhita, 2023, and Sections 4, 6, 8 & 12 of the Protection of Children from Sexual Offences Act, 2012.
3. It is alleged that on the date of incident, which took place on 22.01.2025, the present applicant had made the victim to consume liquor while he and his friends were partying in one flat and thereafter forcibly committed sexual intercourse with her.

4. I have heard the learned counsel for the applicant, the learned APP for the respondent/State and the learned counsel for the Respondent No.2.

5. The learned counsel for the applicant submits that the applicant is an engineering student. It is submitted that the applicant be released on temporary bail till 30.05.2025 to enable him to appear for his examination. It is submitted that there is nothing in the medical report to indicate, that victim was subjected to sexual intercourse.

6. On the other hand, the learned APP for the Respondent/State and the learned counsel for the Respondent No.2/victim submit that the incident is a recent one. It is submitted that the victim is still under trauma. It is submitted that the Sessions Court has granted permission to the applicant to appear in examination under police escort. It is submitted that considering the nature of offence the applicant may not be released on a temporary bail.

7. The present application is not on merit and therefore the submission in relation to medical report cannot be taken into consideration while deciding the present application. Considering the nature of crime and as the applicant has been allowed to appear in examination under police escort by the Sessions Court, I am not inclined to release the applicant on temporary bail. Hence, the application is rejected.

(N. R. BORKAR, J.)