

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

Bail Application No.3553 of 2025

Prajyot Hirianna Hegde

Aged: 27 years, Occ- Business

R/a: Flat No.904, Apple Ghar Society,

Lonikand Tal Haveli Dist Pune

(Presently in Yerwada Central Jail)

... Applicant

versus

The State of Maharashtra

(Through Lonikand Police Station

CR No.162/2025)

... Respondent

Mr Ramdas Hake, a/w. Mr Jayraj Kakde, i/b. Rajabhau S Chaudhari, for the applicant.

Mr SV Walve, APP, for the respondent/ State.

API Vijaya Vanjari, Lonikand Police Station, is present.

Coram: R.N. Laddha, J.

Date: 16 September 2025.

P.C.:

By this application, the applicant seeks bail under Section 439 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with CR No.162 of 2025, registered at Lonikand Police Station, Pune, for offences punishable under Sections 16 and 17 of the Protection of Children from Sexual Offences Act, 2012, Sections 143, 143(4) and 144 read with 3(5) of the

Bharatiya Nyaya Sanhita, 2023, and Sections 3, 4 and 5 of the Immoral Traffic (Prevention) Act, 1956.

2. Mr Ramdas Hake, the learned counsel appearing on behalf of the applicant, asserts the applicant's innocence, contending that the applicant has been falsely implicated in the crime. He submits that the victim was brought to Pune by the co-accused individuals, while the applicant's role was limited to that of a lodge manager, with no direct involvement in the commission of the alleged crime. The allegations levelled against the applicant are vague, lacking specificity, and are not supported by any substantial or corroborative evidence. Further, the reliance placed by the prosecution on the ossification test to ascertain the victim's age is flawed and cannot be regarded as definitive or conclusive. The learned Counsel emphasises that the investigation has been duly completed, the charge sheet has been filed, and the trial will proceed in due course. Mr Hake also submits that the applicant is willing to comply with any conditions that this Court may deem fit to impose.

3. Mr SV Walve, the learned Additional Public Prosecutor representing the respondent/ State, opposing the applicant's request, submits that the offence was committed in a well-planned manner by the accused. The offence is of a serious

nature. The learned APP expresses concern that if the applicant is granted bail, there is a significant risk that he may tamper with evidence or exert influence over witnesses, thereby jeopardising the integrity of the ongoing proceedings.

4. Upon reviewing the records, it appears that the only role attributed to the applicant is that of being one of the managers of the lodge. Save for this mere assertion, there exists no substantive or corroborative material on record to demonstrate the applicant's alleged involvement in the crime. The victim's statement does not indicate that the applicant actively participated in the alleged crime. Further, during the raid, the applicant was not present at the spot. The ossification test report demonstrates that the victim was above seventeen years of age but below nineteen years at the time of the incident. Notably, the investigation has concluded with nothing to be recovered or discovered from the applicant. Although a charge sheet has been filed, no charge has been framed to date. The applicant was taken into custody on 14 May 2025. In the absence of any *prima facie* incriminating material seized from or demonstrating his participation in the crime, the continued custodial detention of the applicant would not serve any useful purpose. The prosecution's apprehension about potential

evidence tampering and witness influence can be addressed by imposing appropriate conditions. In these circumstances, this Court is inclined to grant bail to the applicant. Hence, the following order:

ORDER

- (i) The applicant shall be released on bail in CR No.162 of 2025, registered at Lonikand Police Station, Pune, upon furnishing a PR Bond of Rs.25,000/- with one or more sureties in the like amount.
- (ii) The applicant, himself or through any other person, shall not tamper with the evidence and exert influence over witnesses.
- (iii) The applicant shall not contact the victims in any manner whatsoever.
- (iv) The applicant shall regularly attend and cooperate with the jurisdictional Court for the expeditious disposal of the case.

5. The application stands disposed of accordingly.

(R.N. Laddha, J.)