



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA) NO.213 OF 2025

Akshay s/o Chandrabhan Ghadage
Vs.

State of Maharashtra, through Police Station Officer, Ravanwadi, Gondia
and another

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. S. A. Dutonde, Counsel for the applicant.
Mr. Aditya Madiwale, APP for non-applicant/ State.
Mr. R. S. Bhalerao, appointed Counsel for the non-applicant No.2.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 13/06/2025

1. By this application, the applicant is seeking bail in connection with Crime No.197/2024, initially registered under Section 363 of the Indian Penal Code and subsequently, registered under Sections 366, 376(3) of the Indian Penal Code and under Section 4 of the Protection of Children from Sexual Offences Act.

2. Heard learned Counsel for the applicant, who submitted that though victim is 13 years and 3 months old, however, there was an acquaintance between both of them. She herself has left the house and joined the company of present applicant and thereafter, they both proceeded. As far as the allegation regarding the sexual assault is concerned, which is not substantiated by the medical certificate

and therefore, the applicant has made out a case for grant of bail. The investigation is already completed, charge-sheet is already filed, further incarceration of the present applicant is not required.

3. Learned APP and learned Counsel for the non-applicant No.2 - victim strongly opposed the said application on the ground that a very minor girl was instigated and induced to come along with him and thereafter subjected for the forceful sexual assault and therefore, the application deserves to be rejected.

4. On hearing both the sides and on perusal of the investigation papers, it reveals that a very tender age girl was subjected for the forceful sexual assault by the present applicant by inducing her to come along with him and though investigation is completed and charge-sheet is filed, considering a very minor girl which is the victim of the sexual assault, the application deserves to be rejected. Accordingly, I proceed to pass following order:

ORDER

- (i) The application is rejected.
- (ii) The fees of the appointed Counsel be quantified as per rules.

(URMILA JOSHI-PHALKE, J.)