



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, NAGPUR.**

CRIMINAL APPLICATION (BA) NO.258 OF 2025
(Hiraman s/o Upasrao Satpudke Vs. State of Maharashtra and anr.)

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. M.V. Rai, Advocate for the applicant.
Mr. A. Ghongre, APP for the State.
Mr. R.S. Bhalerao, Advocate (appointed) for non-applicant No.2.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- APRIL 23, 2025.

Heard.

2. By this application, the applicant is seeking bail as he came to be arrested on 31/08/2024 in connection with Crime No.598/2024 registered with police station Sawangi Meghe, District Wardha for the offence punishable under Sections 74, 351(2) and 351(3) of the Bharatiya Nyaya Sanhita, 2023 and Section 8 of the Protection of Children from Sexual Offences Act, 2012.

3. The crime is registered on the basis of report lodged by the mother of the victim girl on an allegation that her daughter aged about 12 years was attending the tuition classes at the residence of the present applicant and it is alleged that the present applicant on the pretext of showing the home work called her in another room and subjected her for the forceful sexual harassment. On the

basis of the said report, police have registered the crime against the present applicant.

4. Learned Counsel for the applicant submitted that as far as the allegations are concerned which are false and baseless. Even accepting that now investigation is completed and charge-sheet is filed, further incarceration of the present applicant is not required. The alleged offences are punishable with imprisonment not more than seven years. In view of that, the present applicant be released on bail.

5. Learned APP strongly opposed the application and submitted that considering the statement of the victim and another crime is also registered against the present applicant with the similar allegations, if he is released on bail there is every possibility of tampering of the witnesses. Hence, the application deserves to be rejected.

6. Learned Counsel for the complainant endorsed the same contentions and submitted that considering the allegations levelled against the present applicant not only by the victim but the another girl also. In view of that, the application deserves to be rejected.

7. I have heard learned Counsel for both the parties. Perused the entire investigation papers. The allegations are in the nature of sexual harassment by

touching inappropriately to the victim. Considering the statement of the victim and the other witnesses though *prima facie* case is made out against the present applicant but considering now the investigation is completed and charge-sheet is filed, further incarceration of the applicant is not required. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass the following order:

(i) The application is allowed.

(ii) The applicant – Hiranman s/o Upasrao Satpudke in connection with Crime No.598/2024 registered with police station Sawangi Meghe, District Wardha for the offence punishable under Sections 74, 351(2) and 351(3) of the Bharatiya Nyaya Sanhita, 2023 and Section 8 of the Protection of Children from Sexual Offences Act, 2012, be released on bail on executing P.R. bond of Rs.25,000/- with one solvent surety in the like amount.

(iii) The applicant shall not enter into the vicinity of village Salod Hirapur till culmination of the trial.

(iv) The applicant shall attend the proceedings before the Special Court without seeking any exemption unless there are exceptional circumstances.

(v) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case in any manner either personally or by way of electronic media.

8. The contravention of any of the condition imposed by this Court, would lead to the cancellation of bail.

9. The application is disposed of.

10. The fees of the appointed Counsel be quantified as per rules.

(URMILA JOSHI-PHALKE, J.)