



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

**CRIMINAL APPLICATION (BA) NO. 295 OF 2025**

Prashik s/o Pradip Bankar Vs State of Maharashtra

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

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Court's or Judge's Order

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Ms J.S. Kurwe, counsel for applicant.

Mr. M.K.Pathan, APP for non-applicant/State.

**CORAM : URMILA JOSHI-PHALKE, J.**  
**DATED : 04/04/2025.**

1. The applicant came to be arrested on 21/03/2024 in connection with Crime No. 120/2024 registered with Police Station Bhiwapur, District Nagpur for the offence punishable under Sections 376(d), 452, 506 read with Section 34 of the Indian Penal Code, 1860.

2. The crime is registered on the basis of the report lodged by the victim, aged about 30 years, on an allegation that co-accused and the present applicant entered a house during the night hours, and co-accused subjected her for forceful assault. At the relevant time, the present applicant was holding her. On the basis of the said report, police have registered the crime against the present applicant.

3. Heard learned counsel for the applicant, who submitted that, as far as the allegations of sexual assault are concerned, which are not against the present applicant. There are inconsistent statements of the victim.

Now, the investigation is already completed and charge-sheet is already filed, the involvement of the present applicant is not in actual sexual assault. Thus, considering now the investigation is completed and charge-sheet is filed, he be released on bail.

4. Learned APP strongly opposed the said application, and submitted that present applicant has aided the other co-accused in the commission of the offence and shares a common intention. In view of that, the application deserves to be rejected.

5. On hearing both sides and on perusal of the investigation papers, it reveals that there are inconsistent statement of the victim as far as the present applicant is concerned. Moreover, there is no allegation against the present applicant that he has subjected her for forceful sexual assault. Considering now the investigation is already completed and charge-sheet is filed and custodial interrogation of the present applicant is not required. In view of the above, the applicant has made out a case for grant of bail. Accordingly, I proceed to pass the following order:

- a] The criminal application is **allowed**.
- b] The applicant – Prashik s/o Pradip Bankar shall be released on bail in connection with Crime No. 120/2024 registered with Police Station Bhiwapur, District Nagpur for the

offence punishable under Sections 376(D), 452, 506 read with Section 34 of the Indian Penal Code, 1860, on furnishing P.R. Bond of Rs. 25,000/- with one solvent surety in the like amount.

- c] The applicant shall not enter into the vicinity of village Bhivapur District Nagpur till culmination of the trial.
- d] The applicant shall attend the proceedings before the Sessions Court without seeking any exemption unless there are exceptional circumstances.
- e] The applicant shall furnish his detailed address wherein he is intending to reside after he is released on bail along with the address proof.
- f] The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case including the victim either physically or through the electronic media.

6. The criminal application is **disposed of** accordingly.

**[URMILA JOSHI-PHALKE, J.]**