



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

CRIMINAL APPLICATION (BA) NO. 415 OF 2025

SANDIP S/O RAMDAS SIDAM 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. A.M. Chandekar, counsel for applicant.

Mr. Anant Ghogre, APP for non-applicant/State.

Ms. Kirti Deshpande, counsel (appointed) for non-applicant No.2.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 08/05/2025.

1. The applicant came to be arrested on 28/10/2024, in connection with Crime No. 666/2024 registered with Police Station Rajura, Tashil Rajura, District Chandrapur for the offence punishable under Sections 74, 75, 137 (2), 296, 115(2) of the Bhartiya Naya Sanhita, 2023, and Sections 8, 10 and 12 of Protection of Children from Sexual Offences Act.

2. Heard learned counsel for the applicant, who submitted that, as per the allegations on 27/10/2024, the informant had been to her house, where her daughter disclosed to her that the present applicant had taken her on a two-wheeler and subjected her for forceful sexual assault by inappropriately touching her chest and also by biting her cheek. He submitted that, on the same day, another FIR was registered bearing crime No. 667/2024, and in the said FIR also, similar allegations is levelled, and statements are also similar. Thus, these two incidents narrated by the victim

girls alleging against the present applicant appear to be baseless and false. Now, the investigation is already completed, and charge-sheet is already filed. The statement under Section 164 is also recorded, wherein the inconsistent statement is made by the victim girls, in view of that, applicant be released on bail.

3. Learned APP and learned counsel for the victim strongly opposed for the same on the ground that, considering the allegations levelled against the present applicant that he has subjected two minor girls for sexual harassment, in view of that, the application deserves to be rejected.

4. On hearing both sides and on perusal of the investigation papers, it reveals that the two FIRs are filed against the present applicant by the informant regarding the incident that occurred with two daughters. One daughter is aged about 8 years, and another daughter is younger than her. The timing of the incident is also the same, and the allegations show that the present applicant has touched their chest and outraged their modesty. On perusal of the statements of both the girls, inconsistency is apparent. Considering that now investigation is completed, charge-sheet is filed, further incarceration of the present applicant is not required. Hence, the application deserves to be allowed. Accordingly, I proceed to pass the following order:

ORDER

a] The criminal application is **allowed**.

- b] The applicant – Sandip s/o Ramdas Sidam shall be released on bail in connection with Crime No. 666/2024 registered with Police Station Rajura, Tashil Rajura, District Chandrapur for the offence punishable under Sections 74, 75, 137 (2), 296, 115(2) of the Bhartiya Naya Sanhita, 2023, and Sections 8, 10 and 12 of Protection of Children from Sexual Offences Act, on executing 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 Sumthana, Tah. Rajura, District Chandrapur till culmination of the trial.
- d] The applicant shall attend the proceedings before the Special Court without seeking any exemption unless there are exceptional circumstances.
- e] The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.
- f] The fees of the appointed counsel be quantified as per Rule.

Criminal application is **disposed of** accordingly.

[URMILA JOSHI-PHALKE, J.]