



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

CRIMINAL APPLICATION (BA) NO. 578 OF 2025

Santosh s/o Kailash Tanti

Vs.

State of Maharashtra, through Police Station Officer, Police Station
Kalamna, District Nagpur 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. Tejas Deshpande, Counsel for the applicant.

Mr. C. A. Lokhande, APP for non-applicant No.1/State.

Ms. S. H. Bhagat, appointed Counsel for the non-applicant No.2.

CORAM : URMILA JOSHI-PHALKE, J.

DATED : 08/07/2025

1. By this application, the applicant is seeking bail as he came to be arrested on 24.01.2025 in connection with crime No. 55/2025 registered with Police Station Kalamna, Nagpur for the offence punishable under Sections 74, 75 of the Bharatiya Nyaya Sanhita, 2023 and under Section 8 of the Protection of Children from Sexual Offences Act.

2. Heard learned Counsel for the applicant, who submitted that as per the allegation on 24.01.2025, she was going alone to her aunt's house at about 8.00 p.m., and the applicant has intercepted her and talked in filthy and abusive language. Thereafter he inserted his hand in the clothes of the informant and pressed her chest. On the basis of the said report, police have registered the crime against the present applicant.

3. Learned Counsel for the applicant submitted that now the investigation is already completed and charge-sheet is already filed. As far as the involvement of the present applicant is concerned, it is only merely on the basis of suspicion. As far as the apprehension is concerned, is he ready to stay outside the Nagpur district, in view of that, he be protected by granting bail.

4. Learned APP and learned Counsel for the non-applicant No.2 – victim strongly opposed the said application on the ground that considering the language used by the present applicant and the act, the application deserves to be rejected as there is every apprehension of repetition of the said offence.

5. I have heard learned Counsel for both parties. On perusal of the entire investigation papers, the involvement of the present applicant revealed. However, considering the fact that now the investigation is completed, charge-sheet is already filed. The punishment provided for the offences is up to five years, in view of that the application deserves to be allowed by imposing certain conditions. Accordingly, I proceed to pass following order:

ORDER

(i) The application is allowed.

(ii) The applicant **Santosh s/o Kailash Tanti** shall be released on bail in connection with crime No.55/2025 registered with Police

Station Kalamna, District Nagpur for the offence punishable under Sections 74, 75 of the Bharatiya Nyaya Sanhita, 2023 and under Section 8 of the Protection of Children from Sexual Offences Act, on executing PR bond in the sum of Rs.25,000/- with one solvent surety in the like amount.

(iii) The applicant shall not enter into the jurisdiction of Kalamna Police Station, Nagpur, till culmination of the trial.

(iv) The applicant shall attend 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 either physically or through electronic media.

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

7. The application is disposed of.

(URMILA JOSHI-PHALKE, J.)