



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

CRIMINAL APPLICATION (BA) NO.703 OF 2025
(Shri Arvind s/o Manohar Raut 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

Shri A.M. Chandekar, Advocate for the applicant.
Mrs M.A. Barabde, APP for the non-applicant/State.
Shri P.J. Vairagade, Advocate for non-applicant no.2.

CORAM:- URMILA JOSHI-PHALKE, J.
DATED :- AUGUST 11, 2025.

The applicant came to be arrested on 26.11.2024 in connection with Crime No.153/2024 registered with Police Station Navegaonband, District Gondia for the offences punishable under Sections 64(2) (m) of the Bhartiya Nyaya Sanhita, 2023 and Section 4 and 6 of the Protection of Children from Sexual Offences Act, 2012.

2. 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 16 years and 9 months studying in 12th standard made a complaint that she is having abdominal pain therefore, she was taken to the hospital and it revealed that she is a pregnant. On inquiring with her, it revealed that the present applicant has subjected her for the forceful sexual assault. On the basis of the said report, police have registered the crime against the present applicant. The statement of the victim was recorded wherein it revealed that on the promise of

marriage, the present applicant has subjected her for the forceful sexual assault.

3. Learned Counsel for the applicant submitted that there was a love affair between the victim and the present applicant. Out of love affair, there was a physical relationship developed between them. As far as the consent of the victim is concerned, admittedly, it was not relevant but she was on the verge of attaining the majority and out of love affair the physical relationship was developed. Now, investigation is already completed, charge-sheet is filed, and therefore, further incarceration of the applicant is not required.

4. Learned APP strongly opposed the application whereas learned Counsel for the victim submitted that now the applicant and the victim decided to perform the marriage, and therefore, victim has no objection to release the applicant on bail. Admittedly, the consent of the victim is not relevant as well as merely because the applicant is ready to perform the marriage cannot be a ground to release the applicant on bail but considering the statement of the victim it appears that there was a love affair between the applicant and the victim and out of love affair the physical relationship was developed between them. Admittedly, the victim was on the verge of attaining the majority. Considering the circumstances under which the alleged incident has taken place, the applicant has made out a case for grant of bail. Moreover now, the investigation is completed and charge-sheet is filed, no

purpose would be served by keeping him behind bar. 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 – Arvind s/o Manohar Raut in connection with Crime No.153/2024 registered with Police Station Navegaonband District Gondia for the offences punishable under Sections 64(2)(m) of the Bhartiya Nyaya Sanhita, 2023 and Section 4 and 6 of the Protection of Children from Sexual Offences Act, 2012, be released on bail, on executing P.R. Bond in the sum of Rs.25,000/- with one solvent surety in the like amount.
 - (iii) The applicant shall attend the proceedings before the Trial Court without seeking any exemption unless there are exceptional circumstances.
 - (iv) The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case either personally or by way of electronic media.
 - (v) The contravention of any of the condition would lead to the cancellation of bail.
5. The application stands disposed of.

(URMILA JOSHI-PHALKE, J.)