



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

CRIMINAL APPLICATION (BA) NO. 739 OF 2025

Dindayal alias Dinesh Sevajran Mauje Vs State of Maharashtra and another.

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

Court's or Judge's Order

Mr. Aniket N. Rangari, counsel for applicant.

Mr. C.A. Lokhande, APP for non-applicant/State.

Mr. Kushal Jain, counsel (appointed) for non-applicant No.2.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 25/07/2025.

1. The applicant came to be arrested on 05/04/2025 in connection with Crime No. 184/2025 registered with non-applicant/police station for the offence punishable under Sections 62, 64, 74, 75, 76 of Bhartiya Nyaya Sanhita, 2023, and Section 8 of the Protection of Children from Sexual Offences Act, 2012 (hereinafter referred to 'the Act of 2012').

2. The crime is registered on the basis of a report lodged by victim girl aged 13 years and 7 days, on an allegation that on the day of incident, when she was proceeding to the house of one Saloni Bhure, and she was returning from the house, at that time, present applicant restrained her and called her at home, on the pretext that he has to return the file to her father, and when she was in the house, he has attempted to disrobe her and subjected her forceful sexual assault. However, she rescued herself and fled away from the spot of the

incident. 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 due to the previous disputes, the applicant is implicated falsely. As far as the statement of the victim is concerned, which is not believable on the basis of preponderance of the probabilities. He submitted that, now investigation is completed and the charge sheet is filed, further incarceration of the present applicant is not required.

4. Learned APP strongly opposed the said application and submitted that not only the statement of the victim but also the statement of her friends substantiates the allegation levelled against the present applicant. There is nothing on record to show that there was a dispute between the applicant and the family members of the victim. Thus, considering the role attributed to the present applicant, there was an attempt to sexually assault of the victim girl, fortunately she rescued herself. Therefore, further untoward incidents have not happened. In view of that, the application deserves to be rejected.

5. On hearing both sides and on perusal of the investigation papers, as far as the contention of the learned counsel for the applicant that the applicant is implicated falsely, is not sustainable at this stage, as nothing is on record to show that there was any

alternative motive for the victim to implicate the present applicant in the alleged offence. The involvement of the present applicant is revealed in the alleged offence. However, considering the fact that the investigation is already completed and charge-sheet is filed, further incarceration of the present applicant is not required. In view of that, the application deserves to be allowed by imposing certain conditions. Accordingly, I proceed to pass the following order.

ORDER

- a] The criminal application is **allowed**.
- b] The applicant – *Dindayal alias Dinesh Sevajran Mauje* shall be released on bail, in connection with Crime No. 184/2025 registered with non-applicant/police station for the offence punishable under Sections 62, 64, 74, 75, 76 of Bhartiya Nyaya Sanhita, 2023, and Section 8 of the Protection of Children from Sexual Offences Act, 2012, 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 Bhanpur, Gangazhari, Tah. and District Gondia till culmination of the trial.

- d] The applicant shall furnished his detailed address along with the address proof before the trial Court.
- e] The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the case.
- f] The applicant shall attend the proceedings before the trial Court without seeking any exemption unless there are exceptional circumstances.
- g] A single attempt to pressurize or tamper the prosecution evidence would lead to the cancellation of bail.
- h] The fees of the appointed counsel be quantified as per Rule.

Criminal application is **disposed of**.

[URMILA JOSHI-PHALKE, J.]