



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

CRIMINAL APPLICATION (BA) NO. 783 OF 2025

Ashish s/o Ramesh Meshram 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. Rajat Arun Biranware, counsel for applicant.

Mrs. Sneha Dhote, APP for non-applicant/State.

Mr. Rutwik S. Bhalerao, counsel (appointed) for non-applicant No.2.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 19/08/2025.

1. Present application is preferred by the applicant for grant of bail in connection with Crime No. 68 of 2025 registered with Police Station Jaripatka, Nagpur for the offence punishable under Sections 74, 333 of the Bhartiya Nyaya Sanhita, 2023; and Sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012 (POCSO), the applicant came to be arrested on 01/02/2025.

2. The crime is registered on the basis of a report lodged by the mother of the victim girl on an allegation that her daughter, who is 11 years old, is studying in the school. On 31/01/2025, the applicant knocked on the door of the house and asked for water, and when the victim was inside the house to bring the water, the present applicant outraged her modesty by catching her and touching to her private parts. On the

basis of the said report, police have registered the crime against the present applicant.

3. The learned counsel for the applicant submitted that due to the previous enmity, the applicant is implicated falsely in the alleged offence. The investigation is already completed and there is no allegation of penetrative sexual assault. As far as the apprehension of tampering of the witnesses is concerned, the applicant has not entered into the premises where the victim is residing. No purpose will be served by keeping the applicant behind bar, in view of that, the applicant be released on bail.

4. Learned APP and learned counsel for the victim strongly opposed on the ground that the charge is already framed and witness summons are already issued. The trial can be commenced at any stage, if the applicant is released on bail, there would be an impediment in disposal of the trial. In view of that, the application deserves to be rejected. They have also invited my attention towards the allegation, which is of a grievous nature, and submitted that the application deserves to be rejected.

5. On hearing both sides and on perusal of the investigation papers, especially the statement of the victim girl, which shows the involvement of the present applicant in the alleged offence and considering the nature of the allegation, there is no allegation of

penetrative sexual assault. The investigation is already completed, and charge-sheet is already filed, the trial will take its own time for its final disposal. In view of that, the application deserves to be allowed. Accordingly, I proceed to pass the following order.

ORDER

- a] The criminal application is **allowed**.
- b] The applicant – ***Ashish s/o Ramesh Meshram*** shall be released on bail in connection with Crime No. 68/2025 registered with Police Station Jaripatka, Nagpur for the offence punishable under Sections 74, 333 of the Bhartiya Nyaya Sanhita, 2023; and Sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012 (POCSO), on executing P.R. Bond of Rs. 25,000/- with one solvent surety in the like amount.
- c] The applicant shall attend the proceedings before the trial court without seeking any exemption unless there are exceptional circumstances and shall cooperate with the trial court to dispose of the trial at the earliest.
- d] The applicant shall not enter into the jurisdiction of Jaripatka Police Station, Nagpur, till culmination of the trial.

- e] The applicant shall not induce, threat or promise any witnesses who are acquainted with the facts of the present case.
- f] The fees of the appointed counsel be quantified as per rule.

The criminal application is **disposed of**.

[URMILA JOSHI-PHALKE, J.]