



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

CRIMINAL APPLICATION(BA) NO. 864 OF 2025

Rajesh Kumar Sohan Yadav. Vs. State of Maharashtra and anr.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Mr.R.M.Daga, counsel for the applicant.
Mr. C.A.Lokhande, APP for the State.
Ms.Shubhada Phaltankar, appointed counsel for non-applicant
No.2.

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATE : 22/09/2025

1. Heard.

2. By this application, applicant Rajesh Kumar Sohan Yadav has prayed for regular bail in Crime bearing No. 51 of 2025 registered at Ramnagar Police Station, District Chandrapur for the offences punishable under Sections 137(2), 64(2)(m), 65(1), 351(2), 352, 126(2) and 3(5) of Bharatiya Nyaya Sanhita, 2023, and for the offences punishable under Sections 4 and 5 of the Prevention of Children from Sexual offences Act,2012.

3. It is alleged that the applicant along with the other co-accused had handed over the minor girl to accused no.1

and had forcible sexual intercourse by administering her stupefying substance and when she became unconscious, he had physical relations with her.

4. The learned counsel appearing for the applicant has stated that the offences punishable under Sections 137(2) and 126(2) of the Bharaitya Nyaya Sanhita, 2023 are registered against this applicant. The offence for sexual relations is not made against this applicant. The offence punishable under section 137(2) is punishable with imprisonment up to seven years. Allegations about threats given by the applicant and handing over her to the accused No.1 are made. The co-accused is already released on bail by this Court. Hence, prayed to release the applicant on bail.

5. The learned APP has opposed the application stating that he has handed over the victim minor girl to the accused no.1 by calling him and the accused No.1 had sexual relations with her. The offences are registered. Hence prayed to reject the application.

6. The learned counsel appearing for the non applicant no.2 has also opposed the said application, stating that considering the age of the victim and allegations made against the applicant are that the threats were given by this applicant and he had with intention to commit the said offence with accused no.1, has handed

over her to accused No.1, hence, prayed to reject the application.

7. Heard the learned counsel appearing for the applicant, the learned APP appearing for the non-applicant State and the appointed counsel for Non-applicant No.2.

8. The offences, which are applicable to this applicant, are punishable with imprisonment up to seven years and one of the offence is 126(2) of Bharatiya Nyaya Sanhita, 2023, which is punishable with imprisonment of one month. Considering the role played by this applicant, the custody of the applicant is not required as, it will take time for trial. The co-accused is already released on bail, the ground of parity is also available and the charge-sheet is also filed in the matter, hence the case is made out to release the applicant on bail.

9. Accordingly, I pass the following order:

- i) Criminal application is allowed.
- ii) Applicant- Rajesh Kumar Sohan Yadav be released on bail in connection with Crime bearing No. 51 of 2025 registered at Ramnagar Police Station, District Chandrapur for the offences punishable under Sections 137(2),

64(2)(m), 65(1), 351(2), 352, 126(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023, and for the offence punishable under Sections 4, and 5 of the Prevention of Children from Sexual offences Act, 2012 on his furnishing P.R. Bond in the sum of Rs. 25,000/- (Rupees Twenty Five Thousand only) with one surety in the like amount.

iii] The applicant shall not in any way tamper with the prosecution evidence.

iv] The applicant shall not pressurize or threaten the prosecution witnesses.

v] The applicant shall co-operate the investigation officer.

10. The Criminal Application stands **disposed of** accordingly.

JUDGE