



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

CRIMINAL APPLICATION (BA) NO. 1206/2025

Hitendra s/o. Shnatalal Mandaliye Vs. State of Maharashtra and Anr.

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. K. Y. Mandpe, Advocate for the Applicant.
Mr. S. S. Hulke, A.P.P. for the Non-applicant/State.
Ms Manju Gathole, Advocate (Appointed) for Non-applicant No.2.

CORAM : MRS.VRUSHALI V. JOSHI,J.

DATED : 11/12/2025.

. Heard.

2. The applicant is arrested in Crime No.242/2025 for the offence punishable under Sections 64 of the Bharatiya Nyaya Sanhita, 2023.

3. It is the case of the prosecution that on 05.06.2025, the victim went to her hometown Wardha and from there she went to her maternal uncle's house at Yavatmal and stayed there for two days. On 10.06.2025, at around 3.00 p.m., the complainant left for Kotewada by bus and at around 6.30 p.m. the bus reached Dongargaon and when she got down there, she did not have any auto to take her to the room in Kotewada. The complainant had called the accused/applicant, who works in the same Company where the complainant was working. The complainant has called the applicant to Dongargaon and requested him to drop her at her room as no conveyance is available. The applicant dropped the complainant at Imperial City 37, Flat No.01 in Kotewada on a bike and entered the Flat and asked her to give water. When she asked her to go to his room and drink water, he forced her to give the water. Thereafter, he entered the room and had

sexual intercourse with her forcibly. On next day, she went to her parent's house and informed about it and the complaint was lodged.

4. The learned Counsel for the applicant has stated that the applicant is 20 years of age and the victim is 19 years of age. The First information Report is lodged with a delay. The applicant was known to the victim and she herself called him. Considering the age and the acquaintance of both of them, prayed to release the applicant on bail.

5. The learned A.P.P. has opposed the application stating that the medical report supports about the forcible sexual relations. He had taken disadvantage of said lady. As it is not out of love affair, prayed to reject the application.

6. Learned Counsel for the Non-applicant No.2 – Victim has supported the argument made by the learned A.P.P. and requested to reject the application.

7. Heard the learned Counsel for the applicant and the learned A.P.P. for the State.

8. Considering the allegations about forcible relations, the medical papers show that there were injuries on her genital. It is not a case that the relations were out of love affair. The victim has stated about forcible sexual relations by the applicant and the medical report supports it.

9. Considering the allegations made by the victim, this is not a case to release the applicant on bail. Hence the application is rejected.

10. Fees of the appointed Counsel for the Non-applicant No.2, be quantified as per Rules.

(MRS. VRUSHALI V. JOSHI, J.)