



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

CRIMINAL APPLICATION (BA) NO.941/2025

(Satish Laxman Munde Vs. State of Maharashtra and another)

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

Court's or Judge's orders

Mr. V.S. Gokhale, Advocate h/f. Mr. R.J. Shinde, Advocate for the applicant.
 Mr. A.M. Ghogare, A.P.P for the non-applicant No.1/State.

CORAM: MRS.VRUSHALI V. JOSHI, J.

DATED: 17.9.2025.

The applicant is arrested in Crime No.82/2025 for the offence punishable under Sections 64, 64(2)(i), 64(2)(m), 65(2) of Bhartiya Nyaya Sanhita, Sections 4 and 6 of the Protection of Children from Sexual Offences Act.

2. It is the case of the prosecution that the applicant has committed the rape on a girl who is 9 years of age. The daughter of the first informant asked her mother, when she was giving bath to her, not to touch her private part as it is paining. Thereafter, when the first informant asked her by taking her into confidence she told that the applicant used to show her music in mobile and at that time he used to insert his private part in her private part by removing her lowers. Thereafter, first informant has lodged the report.

3. The learned Advocate for the applicant has stated that the applicant is 21 years of age. He has not committed any offence. There is no any medical evidence to prove that he has committed the said offence. Hence, prayed to release him on bail.

4. The learned A.P.P. opposed the application stating that the offence under the provisions of POCSO Act is there. The medical evidence is also supporting. The applicant was known to her.

Considering the allegations made against this applicant, prayed to reject the application.

5. Heard both sides and perused the record.

6. On perusal of the medical report it appears that opinion is given that offence of sexual intercourse cannot be ruled out. Only because the final opinion is kept pending till the receipt of FSL report the learned Advocate for the applicant has requested to release the applicant on bail.

7. Considering the age of the victim and act done by the applicant, and the fact that the medical report supports the allegations made against this applicant, this is not a fit case to release the applicant on bail. Hence the application is rejected.

(MRS. VRUSHALI V. JOSHI, J.)