IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 1162 OF 2026

VINOD SATTAR TADVI
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

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Mr. Suniket Anil Kulkarni a/w Ms. Rutuja L. Jakhade, Advocates for Applicant
Mr. V. K. Kotecha, APP for Respondent - State
Mr. Prasad Balasaheb Kadam, Advocate for Respondent No.2 (Appointed)

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CORAM : HITEN S. VENEGAVKAR, J.

DATED : 2nd NOVEMBER, 2026

PER COURT :

1. Heard the learned Advocate for the applicant and the learned APP for respondent – State as well as learned Advocate for respondent No.2.

2. The present application is for regular bail of the applicant, who was arrested on 20th April, 2026, in connection with Crime No. 201 of 2026 dated 19.04.2026 registered with Akkalkuwa Police Station, Dist. Nandurabar, for offences punishable under Sections 64(1), 65(1), 351(2)(3) of Bharatiya Nyaya Sanhita and Sections 3 and 4 of Protection of Children from Sexual Offences Act, 2012 (POSCO).

3. The prosecution story, in brief, is that the victim, who is the informant, was 15 years and 3 months old on the relevant date of the incident. On the date of the incident, the victim was at her residence in the company of her mother. At that time, the wife of the present applicant came to the house and requested the mother of the victim to permit the victim to accompany the present applicant for getting fodder for her cattle. As the families knew each other, the mother of the victim permitted her to accompany the applicant. Accordingly, the applicant took the victim to the field for collecting fodder. It is alleged that upon reaching there, the applicant started expressing his feelings for the victim and, while saying so, forced himself upon her. It is alleged that, he threatened her with dire consequences, including killing her, and thereby committed forcible sexual intercourse with the informant. After committing the forcible act, he again threatened the victim not to disclose about the the incident, or else he will kill the victim. When they returned, the victim remained quiet for a day as she was afraid but somehow disclosed the incident to her stepmother, who then immediately took the victim to the police station and registered the present offence. In pursuance of the investigation, the applicant came to be arrested.

4. Learned Advocate for the applicant submits that the

applicant is falsely implicated in the case. She relies upon the medical evidence to demonstrate that no such incident has taken place. She submits that the investigation is complete, the charge-sheet is filed, and there is no necessity to keep the present applicant behind bars.

5. Learned APP, however, vehemently opposed the present application. He argued that the role attributed by the minor to the present applicant is direct and specific. In several words, the minor, in her statement to the police as well as in the statement given before the Magistrate, has categorically mentioned the forcible sexual intercourse committed by the present applicant upon the victim. There is no reason to doubt the statement of the minor prosecutrix. He submits that the period undergone by the applicant in such a heinous offence cannot be said to be sufficient. He further submits that, in all, there are only 08 witnesses and the trial will commence and get over within a short span of time.

6. Learned Advocate appearing for the informant also argues in the same tone as the learned APP and points out that this is not a fit case to grant bail to the present applicant.

7. I have perused the entire charge-sheet and heard the arguments of the respective Advocates. Apart from the statement given by the victim to the police by way of the first information, her statement was also recorded before the Magistrate. In both these statements, the victim has consistently pointed out the incident of forcible sexual intercourse inflicted upon her by the present applicant. There is no reason to doubt the veracity of the said statements. I do not find any reason why the victim, who is a minor, would falsely implicate the present applicant in the alleged offence.

8. The statement of the prosecutrix itself indicates the manner in which he carried the victim to an agricultural field under the pretext of collecting fodder for his cattle. Taking advantage of the fact that she was alone in the agricultural field, he committed the alleged offence upon the victim. This material is supported by the medical evidence of the victim, which clearly mentions that the hymen of the victim is torn.

9. At this stage, the material collected by the investigating agency, in addition to the statements of the witnesses, is sufficient to prima facie hold that the applicant is involved in the heinous offence of committing forcible sexual intercourse with a minor.

10. On the basis of the aforesaid material, I am not inclined to allow the application.

11. The application, therefore, stands rejected.

12. Mr. Prasad B. Kadam, learned Advocate was appointed to defend the cause on behalf of respondent No.2. His fees be quantified and paid by the High Court Legal Services Authority, Sub Committee, Aurangabad as per rules.

(HITEN S. VENEGAVKAR)
JUDGE

Tandale