



**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO.1740 OF 2025

Gajanan Manohar Deshmukh

... APPLICANT

VERSUS

The State of Maharashtra & anr.

... RESPONDENTS

.....
Mr. H.P. Randhir, Advocate for applicant
Ms R.R. Tandale, A.P.P. for respondent No.1 – State
Mr. S.M. Nawale, Advocate for respondent No.2.
.....

CORAM : SACHIN S. DESHMUKH, J.

DATE : 7th JANUARY, 2026

PER COURT :

1. By this application, the applicant, who has been arrested in connection with Crime No.496/2025, registered with Shrirampur City Police Station, District Ahilyanagar for the offences punishable under Sections 64, 351(2) of the Bhartiya Nyaya Sanhita, 2023 and Sections 4, 8 and 12 of the Protection of Children from Sexual Offences Act, is seeking his release on regular bail.

2. It is the case of the prosecution that, the applicant and the victim came in contact with each other by SnapChat. They used to talk with each other and as such, friendship developed between them. In January 2025, applicant came to meet the victim from Mehkar, District Buldhana at Raobahadur Narayanrao Boravake College, Shrirampur, District Ahmednagar. At that time, the applicant told the victim to come to a hotel for taking meal. The applicant and the victim went to Hotel Chandrani for taking meal. After meal, the applicant left the victim at the gate of the College.

3. Thereafter, after a gap of 8 to 10 days, the applicant again came to meet the victim at her College and requested her to accompany him to Shirdi for Darshan of Saibaba. The victim refused to visit Shirdi along with him. At that time, the applicant told that they both are friends and requested her to come to Shirdi along with him on motorcycle. The victim and the applicant went to Shirdi on motorcycle. After Darshan, the applicant told the victim that he likes her and they will live in relationship and that he will marry with her. At that time, the victim told that they will maintain friendship and refused for relationship and for marriage. The applicant requested her for relationship but the victim refused for

the same.

4. At that time, the applicant told her that he is having her photos and he will show the same to her brother and parents and by force and by threatening, the applicant compelled her to go in one lodge. At that time, the applicant told the victim that if she will not live in relationship with him, he will send her photos and will defame her and forcibly established intercourse with her. The applicant took her photos and when she refused, the applicant again threatened to circulate the photos to her relatives. Thereafter, the applicant left the victim at the gate of the College. As the victim was under tension, she did not tell her parents and brother about the incident.

5. Mr. Randhir, learned counsel for the applicant submits that, the applicant and the victim were in relationship with each other and the victim consciously accompanied the applicant. It is further submitted that, neither there was threat of circulating the photographs of the victim nor it materialised, however, the same is levelled to falsely implicate the applicant and hence, the learned counsel prayed to allow the Bail Application.

6. Per contra, learned A.P.P. submits that the applicant has indulged in a serious crime and has committed sexual assault on the victim who is minor.

7. Having heard the respective counsel for both the sides and upon perusal of the record including the Chargesheet, indicates that, the victim was acquainted with the applicant since past two years and had communicated with him through social media. Moreover, prima facie it is apparent that, the victim had accompanied the applicant on her own accord to Shirdi. It is only after the alleged threats given by the applicant to the victim to marry him and on her refusal to the same, the present complaint came to be lodged. As such, it prima facie appears the case of over implication.

8. Nevertheless, the investigation is complete for all intents and purposes and considering the number of witnesses which the prosecution is likely to examine during the course of trial, the trial is unlikely to conclude within a reasonable period. Therefore, indefinite incarceration of the applicant is unjustified. Thus, the application warrants consideration, and accordingly, the discretion deserves to be exercised in favour of the applicant.

Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) The applicant Gajanan Manohar Deshmukh be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand) with one solvent surety of the like amount in the above crime, on the conditions that :
 - (a) The applicant shall not tamper with the prosecution witnesses.
 - (b) The applicant shall remain present on each date, unless exempted by the trial Court.
- (iii) Needless to state that, the observations rendered herein are confined to the present application, and the trial Court shall not be influenced by the same.

(SACHIN S. DESHMUKH, J.)

fmp/-