



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 2078 OF 2025

Rohit Ashok Kakde

....Applicant

VERSUS

The State of Maharashtra & another

.....Respondents

Mr. S. S. Jadhav, Advocate for Applicant.

Mr. C. V. Bhadane, APP for the State.

Mr. R. R. Imale, Advocate for Respondent No. 2.

CORAM : SACHIN S. DESHMUKH, J.

DATE : 7th JANUARY, 2026.

PER COURT :

1. Applicant seeks regular bail in connection with Crime No. 457/2025 registered with Cidco Police Station, Dist. Chhatrapati Sambhajnagar, for the offences punishable under Sections 4, 8, 12 of Protection of Children from Sexual Offences Act and under Sections 64(1), 64(M), 78(2), 115(2), 351(2), 351(3) and 352 of the Bharatiya Nyaya Sanhita, 2023.

2. The case of the prosecution is that the victim was conversant with the Applicant since 2018 i.e. when she was in 8th standard. It is further alleged that initially, the Applicant befriended her and later began to pursue her. In the year 2022, Applicant allegedly took her to his friend's room where he forced upon her and recorded videos.

Thereafter these videos were used to blackmail the victim into further sexual intercourse at various locations in the city.

3. When the victim tried to distance herself, even in the process changed her mobile number, the Applicant, with an intent to get her mobile number, allegedly intercepted her with her classmate near Harsool and physically assaulted her. The Applicant allegedly continued to harass her with phone calls and messages. It is further alleged that the Applicant arrived her home intoxicated and shouted and abused her mother and pelted stones at her house. Sister of the Applicant namely Kavita used to threaten the victim by sending messages and videos on instagram. Even in the year 2025, when the victim did not respond to the Applicant, under the influence of liquor, the Applicant rushed to her house and abused her mother. In the aforesaid backdrop, the crime came to be registered.

3. Learned Counsel for the Applicant submits that the Applicant is falsely implicated in the alleged offence. The Applicant and the victim were in a consensual relationship. The investigation is complete, the charge-sheet has been filed and nothing further remains to be recovered from the Applicant.

4. Learned APP and learned Counsel for the victim opposed the Application citing seriousness of the crime. It is contended that the

Applicant forcibly subjected the victim to sexual exploitation. Attention of the Court is invited to the statement of the victim under Section 183 of the BNS which indicates and establishes conduct of the Applicant disentiing him to claim bail. An apprehension is also expressed that in the event the Applicant is enlarged on bail, he may tamper the prosecution witnesses. As such, a prayer is made for rejection of the Application.

5. Considering the submissions from both sides and perusing the record, including charge-sheet, *prima facie* it appears that the victim and the Applicant has had a relationship for considerable period. It further appears that the victim had consciously accompanied the Applicant for the considerable period and as such was conscious of her participation in the act with the Applicant. Considering the facts that the Applicant is arrested on 10.08.2025, investigation is complete for all intent and purposes, and charge-sheet is already presented, no fruitful propose would be served by further incarcerating the Applicant.

6. Considering the number of witnesses which the prosecution is likely to examine, the trial is unlikely to conclude within a reasonable period. The apprehension expressed by learned APP and learned Counsel for the victim can be adequately safeguarded by imposing

stringent conditions upon the Applicant. In that view of the matter, I am of the considered view that the Application of the Applicant deserves consideration.

8. Hence, the following order :-

ORDER

- (i) Application is allowed.
- (ii) Applicant Rohit Ashok Kakde be released on bail, on furnishing P.R. bond in the sum of Rs. 50,000/- (Rs. Fifty Thousand) with one or two local solvent sureties, in the like amount, in connection with Crime No. 457/2025 registered with Cidco Police Station, Dist. Chhatrapati Sambhajnagar, for the offences punishable under Sections 4, 8, 12 of Protection of Children from Sexual Offences Act and Sections 64(1), 64(M), 78(2), 115(2), 351(2), 351(3), 352 of the Bharatiya Nyaya Sanhita on the following conditions :-

- (a) The Applicant shall not pressurize the prosecution witnesses and tamper with the prosecution evidence, in any manner.
- (b) The Applicant shall attend the trial on each and every date unless exempted by the Trial Court and shall not leave the area of jurisdiction of the concerned Police Station till conclusion of the trial.

(c) The Applicant shall submit Aadhar and Pan Cards to the Investigating Officer and detailed address and phone numbers of the Applicant and two of the near relatives.

(d) The Applicant shall not enter the jurisdiction of Chhatrapati Sambhajanagar till conclusion of the trial, except for attending dates before Trial Court.

(e) In case of breach of any of the conditions by the Applicant, it is open for the prosecution to move this Court seeking cancellation of bail.

(iii) Needless to state that the observations rendered herein are to the extent of this Application and the Trial Court shall not be influenced by the same.

(SACHIN S. DESHMUKH, J.)