



IN THE HIGH COURT OF JUDICATURE OF BOMBAY

BENCH AT AURANGABAD

BAIL APPLICATION NO.2187 OF 2025

Prasad Anil Changulpay

... APPLICANT

VERSUS

The State of Maharashtra & anr.

... RESPONDENTS

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Mr. Parth S. Salunke, Advocate for applicant

Mrs. P.V. Diggikar, A.P.P. for respondent No.1 – State

Mr. A.V. Sagar Killarikar, Advocate for respondent No.2 (appointed)

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CORAM : SACHIN S. DESHMUKH, J.

DATE : 13th JANUARY, 2026

PER COURT :

1. By this application, the applicant seeks his release on regular bail in connection with Crime No.381/2025, registered with Karmad Police Station, District Chhatrapati Sambhajnagar for the offences punishable under Sections 137(2), 64(2), 351(2) of the Bhartiya Nyaya Sanhita, 2023 and Sections 4, 8 and 12 of the Protection of Children from Sexual Offences Act (POCSO Act).

2. The prosecution case is that, the victim, who is aged about 17 years, went missing from her house on 28/8/2025. Therefore, the mother of the victim lodged complaint against unknown person of kidnapping her daughter and accordingly, offence punishable under Section 137(2) of the Bhartiya Nyaya Sanhita came to be registered. During the investigation, the investigation the victim was found and her statement came to be recorded, in which she disclosed that a quarrel had taken place between her father and the applicant and he used to threaten her that he would not leave her parents. On 28/8/2025, the applicant threatened the victim and took her on his scooty to a field of his maternal uncle and forcibly committed penetrative sexual assault on her. Accordingly, Section 64(2), 351(2) of the B.N.S. and Sections 4, 8 and 12 of the POCSO Act came to be added.

3. Learned counsel for the applicant submits that, there is pre-existing relationship between the applicant and the victim which is evident from the social media chats, selfie, photographs of the victim and the applicant, and they were in love affairs since long and the F.I.R. came to be lodged under the pressure of parents after objection to their relationship. He further submits that, initially

the missing complaint was lodged and the allegations of sexual assault came to be made in the supplementary statement recorded after delay of 5 days. The investigation is complete and charge sheet has been filed. Therefore, prayed to allow the application.

4. Learned A.P.P. and learned counsel for respondent No.2 opposed the application, submitting that the offence committed by the applicant is serious. Learned counsel for the respondent No.2 submitted that, the victim left the house out of fear and the joined the applicant under coercion and threat.

5. Having considered the submissions of both the sides and perusal of the record including the charge sheet indicates that, the victim accompanied with the applicant in the city of Chhatrapati Sambhajinagar and after mother of the applicant informed him about lodging of the F.I.R., the victim along with the applicant approached the Police Station immediately. The allegations of sexual assault are levelled after unexplained delay

6. Nevertheless, the investigation is complete for all intents and purposes. Thus, the application warrants consideration, and accordingly, the discretion deserves to be exercised in favour of the applicant. Hence the order :

ORDER

- (i) Bail Application is allowed.
- (ii) The applicant Prasad Anil Changulpay 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.
- (iv) The High Court Legal Services Sub-Committee, Aurangabad to pay the fees to the appointed learned counsel on behalf of respondent No.2, as per rules.

(SACHIN S. DESHMUKH, J.)

fmp/-