



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 2376 OF 2025

Ganesh Gorakh Lohar Alias AnkusheApplicant

VERSUS

The State of MaharashtraRespondent

M. S. Karad, Advocate for Applicant.
Mrs. P. V. Diggikar, APP for the State.

CORAM : SACHIN S. DESHMUKH, J.

DATE : 9th JANUARY, 2026.

PER COURT :

1. Applicant has preferred this Application seeking regular bail in connection with Crime No. 777/2025 registered with MIDC Latur Police Station for the offences punishable under Sections 64(1), 137(2), 115(2), 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023.

2. The genesis of the incident lies in the incident dated 10.07.2025. Allegedly, the victim received a phone call from the sister of the Applicant requesting her to accompany her in a college for her admission. Accordingly, the Applicant and his sister allegedly took the victim in a car. It is further alleged that the sister of the Applicant alighted from the car and thereafter Applicant forcibly took the victim towards Harangul village and at about 12.30 noon the

Applicant committed forcible sexual assault on the victim. In this backdrop, First Information Report came to be registered on 25.10.2025.

3. Learned Advocate for the Applicant submits that the he alleged incident occurred on 25.07.2025 in relation to which, the report came to be lodged on 25.10.2025. The Applicant came to be arrested on 01.11.2025. No explanation for delay in lodging First Information Report is coming forth. The victim was in consensual relationship with the Applicant. The Applicant is 21 years old, he has no criminal antecedents and he is falsely implicated in the offence. Hence, prayed to allow the Application.

4. Per contra, learned APP opposed the Application citing serious nature of the crime. It is submitted that the Applicant is indulged in a serious offence. It is contended that the Applicant has forcibly subjected the victim to sexual assault. An apprehension is also expressed that if the Applicant is enlarged on bail there is every possibility of tampering the prosecution evidence.

5. Having heard learned counsel for the both sides, and upon perusal of the record, indicates that the Applicant is a student, pursuing his studies. Furthermore, the record indicates that the Applicant and victim were in consensual relationship and were acquainted with each other for several months. Moreover, there is inordinate delay of more than 3 months in lodging the First Information Report.

6. The investigation is practically complete for all intent and purposes and there is nothing to be recovered at the instance of the Applicant. Considering the age of Applicant and the impact of the continued incarceration on the Applicant, I am inclined to grant relief to the Applicant.

7. The apprehension expressed by learned APP and learned Counsel for the victim can be adequately safeguarded by imposing stringent conditions upon the Applicant. Hence, the following order :-

ORDER

- (i) Application is allowed.

(ii) Applicant Ganesh Gorakh Lohar Alias Ankushe, 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. Crime No. 777/2025 registered with MIDC Latur Police Station for the offences punishable under Sections 64(1), 137(2), 115(2), 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023, 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 concerned Police station until conclusion of the trial except for attending the dates of 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.)

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