



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

BAIL APPLICATION NO. 2470 OF 2025

ANKUSH MAROTI PAWAR

VERSUS

THE STATE OF MAHARASHTRA AND ANOTHER

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Advocate for Applicant : Mr. Vikram R. Dhorde

APP for Respondent No.1 : Ms. P. V. Diggikar

Advocate for Respondent No.2 : Ms. Neha G. Udawant (Appointed)

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**CORAM : SACHIN S. DESHMUKH, J.**

**DATE : 10-02-2026**

**PER COURT:-**

1. The applicant seeks regular bail in connection with Crime No.330 of 2025 dated 30.09.2025 registered with Sonpeth Police Station, District Parbhani, for the offences punishable under Sections 64, 64(2)(i), 65(1) and 351(2) of the *Bharatiya Nyaya Sanhita, 2023* and Sections 4, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012. In the said crime, the applicant was arrested on 30.09.2025. After completion of the investigation, the chargesheet is filed.

2. The prosecution alleges that the victim, a minor student from village Anandwadi, was subjected to persistent harassment by the applicant, who had previously stalked her and handed her a note with his mobile number approximately one month prior to the primary offense. On 24.09.2025, at approximately 3:00 p.m., the

applicant allegedly entered the victim's home while she was alone and committed an act of forceful physical relations, subsequently threatening to harm her and her family to ensure her silence. This ordeal caused the victim to become withdrawn and stop attending school until 29.09.2025, when she disclosed the incident to her parents after they noticed her change in behavior and absence from classes. Consequently, this report was lodged based on the victim's detailed account of the sexual assault and the applicant's prior conduct.

3. The learned counsel for the applicant submits that that the investigation is complete, a chargesheet is filed, and the applicant is falsely implicated due to a deep-seated grudge. It is submitted that since 2015, the applicant stayed in Pune conducting a transport business, and the present FIR is a concocted afterthought with an unexplained delay, designed to wreak vengeance following a village dispute. It is contended that on the date of alleged incident, the applicant was mourning his father's death and, specifically on 24.09.2025, he was present in village Tavthana, Taluka Sonpeth, making his presence at the scene of the alleged crime impossible. Given the applicant's incarceration since 30.09.2025 and the fact that no further recoveries are pending, the Counsel argues that continued detention is unwarranted pending trial.

4. Learned A.P.P. has opposed the application for bail, submitting that the offence is serious, as the victim is a minor girl. The victim has narrated the incident. The sufficient evidence indicates that the applicant assaulted the minor victim. There is possibility of tampering with the evidence. Hence, prayed to reject the application.

5. Upon considering the submissions and perusing the material on record, including the statement of the victim indicates that the alleged incident of 24.09.2025 was reported to the informant on 29.09.2025, while the FIR subsequently lodged on 30.09.2025.

6. Furthermore, the provisional medical opinion in the MLC records an absence of physical force or external injuries on the victim. *Prima facie*, the lack of corroborative physical evidence in medical examination report, at this stage, that weighs in favour of the applicant's liberty.

7. The applicant, aged 30, has been in custody since 30.09.2025 and the documented history of a commercial grudge involving a fair price shop, suggests a possibility of false implication that cannot be ignored.

8. Nevertheless, the investigation is complete for all intent and purpose, resultantly, the chargesheet is filed. Having regard to the number of the accused and the witnesses which the prosecution proposes to examine, it is very unlikely that the trial can be commenced and concluded within a reasonable period. As such, further detention of the applicant as an under-trial prisoner, in the circumstances of the case does not seem to be either warranted or justifiable. I am, therefore, persuaded to exercise the discretion in favour of the applicant.

9. Hence, the following order:-

ORDER

- (i) The bail application is allowed.
- (ii) Applicant, Ankush Maroti Pawar, be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rs.Fifty Thousand), with one solvent surety of the like amount in Crime No.330 of 2025 dated 30.09.2025 registered with Sonpeth Police Station, District Parbhani, for the offences punishable under Sections 64, 64(2)(i), 65(1) and 351(2) of the *Bharatiya Nyaya Sanhita, 2023* and Sections 4, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012, on the conditions that;
  - (a) The applicant shall not pressurize the prosecution witnesses and shall not 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.
- (c) The applicant shall submit their Aadhar and Pan Cards to the Investigation Officer and detailed addresses and phone numbers of applicants and two of the near relatives.
- (d) In case of breach of any of the conditions by the applicants, it is open for the Prosecution to move this Court seeking cancellation of bail.
- (iv) The Secretary, High Court Legal Services Sub-Committee, Aurangabad, is directed to pay the quantified fees of Rs.7,500/- (Rupees Seven Thousand Five Hundred) to the learned counsel appointed for respondent No.2, in accordance with the prescribed rules.
- (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]  
JUDGE