



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

BAIL APPLICATION NO. 79 OF 2026

KRUSHNA CHUDAMAN MAHAJAN
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. Vinod P. Patil
APP for Respondents No.1 and 2 : Mr. P. P. Dawalkar
Advocate for Respondent No.3 : Mr. Yash A. Jadhav (Appointed)

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

DATE : 18-02-2026

PER COURT:-

1. The applicant seeks regular bail in connection with Crime No.440 of 2025 dated 06.12.2025 registered with Bhadgaon Police Station, Taluka Bhadgaon, District Jalgaon, for the offences punishable under Section 78(2) of the *Bharatiya Nyaya Sanhita, 2023* and Sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012. In the said crime, the applicant was arrested on 06.12.2025. After completion of the investigation, the chargesheet is filed.

2. The prosecution case is that the the victim was studying in 10th standard. Since last four months while attending the school, applicant/accused used to stalk her by making gestures and insisted to call him. The victim reported that incident to her parents. The parents of the victim gave understanding to the applicant. Thereafter, on 05.12.2025 at about 5.00 p.m. when the victim was returning from the school, applicant came there and

asked her to make phone call by making unwelcoming gestures. Victim fed up due to harassment of the accused. Hence, at about 8.30 p.m. the victim consumed phenyl. The victim was admitted to Rural Hospital, Bhadgaon. Later, the victim was discharged from the hospital. Hence, the report.

3. Learned counsel for the applicant submits that the applicant has not committed the alleged offence and falsely implicated in present crime. The allegations against the accused are vague in nature. Due to personal grudge, the complaint registered. The investigation is completed. Nothing is to be recovered from the applicant. The applicant is the earning member of his family and law abiding. There is no possibility of tampering with evidence and witnesses. The accused is ready to abide all the conditions as may be imposed by the Court. Hence, prayed that applicant may be admitted to bail.

4. The learned APP for respondents No.1 and 2/State and the learned counsel for respondent No.3/victim have opposed the application and submitted that the offence is serious in nature. There is sufficient evidence indicating the involvement of the applicant in the serious offence. Apart from present offence, C.R. No. 201 of 2021 is registered against the applicant. The investigation in present crime is on going. If accused is granted bail, the applicant may pressurize the victim and will

indulge in similar offence. Therefore, the further incarceration would be warranted. 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 applicant had allegedly made certain objectionable gestures towards the victim, due to which the victim allegedly consumed phenyl. The investigation is complete and necessary recovery is carried out by the investigating agency.

6. Further, the applicant is a young man of age 23 years with no criminal antecedents. As such, further incarceration of the applicant may amount to pre-trial detention, which is rather unwarranted. The applicant is not a threat to the society and can be enlarged on bail. The apprehension regarding the tampering of witnesses can be effectively taken care by imposing strict conditions.

7. 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 incarceration, 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.

8. Hence, the following order:-

ORDER

- (i) Bail application is allowed.
- (ii) Applicant, Krushna Chudaman Mahajan, be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only), with one solvent surety of the like amount in Crime No.440 of 2025 dated 06.12.2025 registered with Bhadgaon Police Station, Taluka Bhadgaon, District Jalgaon, for the offences punishable under Section 78(2) of the *Bharatiya Nyaya Sanhita, 2023* and Sections 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 not enter the village Bambrood, Bhadgaon, District Jalgaon, till filing of the chargesheet.
 - (c) The applicant shall attend the trial on each and every date unless exempted by the trial Court.
 - (d) 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.

- (e) 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.
- (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.
- (iv) The Secretary, High Court Legal Services Sub-Committee, Aurangabad to pay the fees to the appointed counsel for respondent No.3/victim as per schedule.

[SACHIN S. DESHMUKH]
JUDGE

rrd