



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

BAIL APPLICATION NO. 156 OF 2026

Avdhut Machindra Thombre,
Age : 41 Years, Occu. : Agril. & Business,
R/o Mandki, Lakhani, Tq. Vaijapur,
Dist. Chh. Sambhajnagar. .. Applicant

Versus

The State of Maharashtra .. Respondent

Shri R. N. Dhorde, Senior Advocate a/w Shri H. A. Shinde,
Advocate i/by Shri V. R. Dhorde, Advocate for the Applicant.
Shri G. O. Wattamwar, A.P.P. for the Respondent.
Shri Chaitanya Deshpande, Advocate h/f Shri Pradeep G.
Tambade, Advocate for the Intervenor/Informant.

CORAM : SHAILESH P. BRAHME, J.
DATE : 24TH MARCH, 2026.

FINAL ORDER :

. Heard both sides. Applicant is seeking enlargement on bail in respect of offence bearing Cr. No. 428/2025 registered with Shivur Police Station, Dist. Chh. Sambhajnagar for the offences punishable U/Sec. 333, 75, 65 of the Bhartiya Nyaya Sanhita (BNS), 2023.

2. It is alleged against the applicant that he sexually ravished the informant on 11.11.2025 by tress passing house. He is stated to be neighbour of the informant and was harassing her.

3. Learned senior counsel Mr. Dhorde for the applicant submits that there is delay in lodging the F. I. R. and medical report does not corroborate the prosecution story. The spot panchanama is totally inconsistent with the prosecution story as well as medical report. There is strong *prima facie* case of false implication as informant is major, married and having children.

4. Learned Assistant Public Prosecutor for the prosecution would advert my attention to the statement recorded U/Sec. 183 of the Bhartiya Nagarik Surakshya Sanhita, which corroborates the statement. He would advert my attention to medical report, especially history narrated by the victim. It is submitted that there is incriminating material against the applicant and he is not entitled to be released on bail.

5. Learned counsel Mr. Chaitanya Deshpande for the victim – informant additionally submits that the delay has already been explained in the first information report. The ground of alibi, which is tried to be pressed into service cannot be considered at this stage.

6. Applicant is arrested on 14.11.2025. Charge sheet was filed on 23.12.2025. Undisputedly, victim is of 30 years of age and she has two children. I have gone through the column Nos. 15B to 15E and column Nos. 17 and 18 of the medico legal examination report. *Prima facie* there is no force exerted by the accused. The spot panchanama which is conducted on

14.11.2025 discloses that it was narrated that condom was being used for the act. First information report as well as medical certificate which specifically refers this aspect of the matter is inconsistent. There is *prima facie* case in favour of the applicant and he is entitled to be released on bail.

7. It is informed by the learned senior counsel that applicant is no more residing at village Mandki, Tq. Vaijapur. He has shifted to Padegaon, Chhatrapati Sambhajnagar and has no intention to return to his earlier village.

8. The purport of the statement U/Sec. 183 of the B. N. S. S. and nicities of the medical report can be taken into account during the course of the trial. The aspect of delay in lodging F.I.R. need not be commented upon at this juncture.

9. For the reasons stated above I, pass following order.

O R D E R

A. The bail application is allowed.

B. Applicant – Avdhut Machindra Thombre shall be released on bail in respect of Cr. No. 428/2025 registered with Shivur Police Station, Dist. Chh. Sambhajnagar for the offences punishable U/Sec. 333, 75, 65 of the Bhartiya Nyaya Sanhita (BNS), 2023 on condition of furnishing P. R. bond of Rs. 30,000/- (Rs. Thirty thousands only) with one solvent surety of like

amount.

C. The applicant shall not tamper with prosecution evidence or contact with the prosecution witnesses.

D. He shall furnish his mobile/cell number and address to the Investigating Officer.

E. Applicant shall not enter village Mandki, Tq. Vaijapur till the conclusion of the trial.

F. Bail application is disposed of.

[SHAILESH P. BRAHME J.]

bsb/March 26