



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 272 OF 2026

Parshuram Kashinath Kamble,
Age 35 years, Occ. Agriculture,
R/o. Malkapur, Tq. Udgir,
Dist. Latur.

... Applicant

VERSUS

- 1) The State of Maharashtra,
Through Officer Incharge,
Police Station Udgir (Rural)
Dist. Latur.
- 2) The Superintendent of Police,
Udgir, Dist. Latur.

... Respondents.

...
Advocate for Applicant : Mr. Sudharshan J. Salunke
A.P.P. for Respondents/State : Mr. C.V. Bhadane

CORAM : SHAILESH P BRAHME, J.

DATE : 01.04.2026

PER COURT :

Heard both sides.

2. The applicant is seeking regular bail in connection with Crime No.606/2025, registered with Udgir Rural Police Station, District Latur, for the offences punishable under Sections 64, 64(2)(m), 64(2)(k), 351(2) of Bharatiya Nyaya Sanhita, 2023.

3. It is alleged by the informant, who is mother of the victim that applicant sexually molested the victim and threatened her with dire consequences. The victim is a deserted woman and naive. The applicant is alleged to have taken disadvantage of her mental condition in forcibly

keeping relation with her.

4. The learned counsel for the applicant submits that there is no incriminating material against the applicant. The medical opinion does not support the prosecution case. It is submitted that the victim was naive and cannot be said to be mentally challenged.

5. Per contra, learned A.P.P. submits that the opinion of the Medical Officer discloses the victim was having mild mental retardation. She was not in a position to understand the repercussions and to give free consent. It is further informed that victim gave stillbirth. The report of DNA test is awaited. There is incriminating role played by the applicant.

6. I have considered the rival submissions of the parties. F.I.R. shows that victim was of 30 years of age. She was married and deserted. She was staying with the informant. The medico legal report does not disclose any sign of forcible intercourse or any coercion. According to informant, victim was naive. The Medical Officer has opined that she was having mild mental retardation. The gravity of the mental state needs to be examined during the course of trial. *Prima facie*, there is no material on record that the victim was not capable of giving consent or not capable of understanding the things.

7. The applicant is behind bar since 25.09.2025. The investigation is over on 03.11.2025. No antecedents are reported against him. Its a fit case to enlarge the applicant on bail on certain conditions.

8. The Bail Application is allowed.

9. Applicant Parshuram Kashinath Kamble shall be released on bail in connection with Crime No.606/2025, registered with Udgir Rural Police Station, District Latur, for the offences punishable under Sections 64, 64(2) (m), 64(2)(k), 351(2) of Bharatiya Nyaya Sanhita, 2023, on following

conditions:

- (a) The applicant shall furnish P.R. bond of Rs. 50,000/- (Rs. Fifty Thousand only) with one or more solvent surety of like amount.
- (b) The applicant shall not tamper with prosecution evidence or contact with the prosecution witnesses, in any manner.
- (c) The applicant shall furnish his mobile/cell number and address to the investigating officer.
- (d) The applicant shall stay away from entire Taluka Udgir, save and except attending the date of trial.

10. Bail application is disposed of.

(SHAILESH P. BRAHME, J.)

mkd/-