



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

27 BAIL APPLICATION NO. 399 OF 2026

Raju s/o Narhari Kagne,
Age 41 years, Occ. Agriculture,
R/o.Azamwadi, Tq. Loha, Dist.
Nanded.

... Applicant

VERSUS

The State of Maharashtra,
Through Loha Police Station,
Tq. Loha, Dist. Nanded.

... Respondent.

...
Advocate for Applicant : Mr. Gaikwad Anil M.
A.P.P. for Respondent/State : Mr. C. V. Bhadane

CORAM : **SHAILESH P. BRAHME, J.**

DATE : **22.04.2026**

PER COURT :

Heard both sides.

2. The applicant is seeking regular bail in connection with Crime No. 386/2024 registered with Loha Police Station, District Nanded for the offences punishable under Sections 64(1), 65(1), 107, 212 of Bharatiya Nyaya Sanhita, 2023, and under Section 4, 6, 8, 12, 17, 21 of the Protection of Children from Sexual Offences (POCSO) Act, 2012 and under Section 9, 10, 11 of Child Marriage Prohibition Act.

3. A report is lodged by the police officer stating that marriage of the deceased victim was solemnized when she was minor. She committed suicide on 05.11.2024 at the place of her parents. Relatives of the victim did not come forward for lodging the complaint. Enquiry was conducted and information was collected that the applicant, father of the victim and

co-accused are responsible for solemnizing her marriage during her minority.

4. Learned counsel for the applicant submits that no incriminating material is collected against him. The offence alleged is not serious in nature. The applicant was arrested on 03.04.2005. Charge-sheet is filed on 08.01.2025. No criminal antecedents are recorded against him.

5. Learned A.P.P. opposes the submissions on the ground that applicant is liable, because an agreement was executed by him with the relatives of the son-in-law, would indicate that he has been paid amount for not lodging the complaint. The applicant is responsible for suppressing the age and solemnizing the marriage.

6. First information report is lodged by the police officer, as the relatives of the victim are not ready to lodge any complaint. Learned A.P.P. is justified in submitting that the agreement executed by the applicant indicates that he accepted money for not lodging a complaint. The involvement of the applicant cannot be ruled out.

7. The investigation is over. The postmortem report does not reveal any other external injuries, and the cause of death is reported to be hanging. The applicant is behind bars since 03.04.2025. No criminal antecedent is reported against him. Further incarceration is not required. I, therefore, pass following order.

8. The Bail Application is allowed.

9. The applicant **Raju s/o Narhari Kagne**, shall be released on bail in connection with Crime No. 386/2024 registered with Loha Police Station, District Nanded for the offences punishable under Sections 64(1), 65(1), 107, 212 of Bharatiya Nyaya Sanhita, 2023, and under Section 4, 6, 8, 12, 17, 21 of the Protection of Children from Sexual Offences (POCSO) Act, 2012, on following conditions:

- (a) The applicant shall furnish P.R. bond of Rs. 20,000/- (Rs. Twenty Thousand only) with one solvent surety of like amount.
- (b) The applicant shall not tamper with prosecution evidence or contact with the prosecution witnesses.
- (c) The applicant shall furnish his mobile/cell number and address to the investigating officer.
- (d) The applicant shall surrender his Aadhar card and PAN card to the investigating officer.
- (e) The applicant shall cooperate for expeditious disposal of the trial.

10. Bail application is disposed of.

(SHAILESH P. BRAHME, J.)

mkd/-