



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 634 OF 2026

Manoj Fakira Kankate,
Age 39 years, Occ.Business,
R/o. Plot no.B2, Bobade Building,
Sainath nagar, Rahata, Tq. & Dist.
Ahilyanagar
Permanent address- Lorhale,
Tq. Rahata, Dist.Ahilyanagar

... Applicant

VERSUS

The State of Maharashtra,
Through the Police Inspector,
Rahata Police Station, Tq. Rahata,
Dist. Ahilyanagar.

... Respondent.

Advocate for Applicant : Mr. V.D. Hon, Senior Advocate, i/by Mr. Ashwin V.
Hon.

A.P.P for Respondent/State : Mrs. P.V. Diggikar

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. 455/2025, registered with Rahata Police Station, Dist. Ahilyanagar, for the offences punishable under Sections 64(2)(m), 238, 351(2) of Bharatiya Nyaya Sanhita, 2023.

3. It is reported by informant-victim that applicant was residing in the same building as a tenant and was acquainted with her family. His wife was not residing with him but his son was residing with him. When his wife wanted to speak with his son, she used to call the victim. It is alleged that

when a phone call was received from the applicant's wife for speaking with their son, victim was required to enter the applicant's home. The victim is stated to have been ravished. It is further alleged that since June 2024 to 15.12.2025 she was subjected to repeated sexual assault. She was being threatened for circulating the videos and obscene photos.

4. Learned Senior Counsel Mr. Hon for the applicant submits that the applicant is falsely implicated in the offence. A disadvantage has been taken of the complaint lodged by his wife bearing Crime No. 476/2025. It is improbable that the victim could be exploited from June 2024 to December 2025 without there being any consent. The entire prosecution theory appears to be improbable.

5. Per contra, learned A.P.P Mrs. Diggikar submits that clinching material is collected during the course of investigation. Applicant has destroyed the contents of his mobile handset. He has been involved in aggravated form of sexual exploitation. The contents of the F.I.R. also corroborated by contents of Crime No. 476/2025, registered at the instance of wife of the applicant.

6. The victim in the present matter is major, married and mother of a child. The medical report does not show any signs of forceful sexual intercourse. It has already come on record that from June 2024 to 15.12.2025 there is repetitive sexual relationship between the applicant and informant. No circumstances have been pointed out to show as to why she did not lodge complaint against the present applicant.

7. The F.I.R. shows that applicant exerted pressure and given threats of circulating her obscene photos and videos. It is tried to be pointed out from complaint bearing Crime No. 476/2025 that applicant's wife had also accidentally came across the contents of mobile handset of the applicant. However, there is no transcript, or the contents of the mobile phone is not available. It would be matter of trial to examine as to whether the applicant is liable for destroying the contents.

8. It is informed by learned Senior Counsel appearing for the applicant that victim's husband has been transferred and shifted to some other place. The investigation is over. Further incarceration is not warranted. I therefore, pass following order.

9. The Bail Application is allowed.

10. The applicant **Manoj Fakira Kankate** shall be released on bail in connection with Crime No. 455/2025, registered with Rahata Police Station, Dist. Ahilyanagar, for the offences punishable under Sections 64(2) (m), 238, 351(2) of Bharatiya Nyaya Sanhita, 2023, on following conditions:

(a) The applicant shall furnish P.R. bond of Rs. 40,000/- (Rs. Forty 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 cooperate for expeditious disposal of the trial.

(e) The applicant shall surrender his Aadhar Card and PAN card to the investigating officer.

11. Bail application is disposed of.

(**SHAILESH P. BRAHME, J.**)

mkd/-