



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 799 OF 2026

FARAN ALIAS MUNNA HAHUSNODDIN SAYYED
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

Advocate for Applicant : Mr. Tapan K. Sant
APP for Respondents-State : Mr. Sandesh V. Hange
Advocate for Respondent No. 2 : Mr. Raju Bagul (Appointed)

CORAM : SACHIN S. DESHMUKH, J.

Date : 9th June, 2026

PER COURT :-

1. The applicant has approached this Court seeking regular bail in connection with FIR dated 09.10.2025 bearing Crime No. 322 of 2025 registered with Jalgaon Taluka Police Station, Dist. Jalgaon for the offences punishable under Sections 63(d)(vi), 64(2)(m), 65(1), 78, 126(2), 351(2), 351(3) of Bharatiya Nyaya Sanhita, 2023 and Sections 4 and 6 of the Protection of Children from Sexual Offences Act, 2012.

2. The case of the prosecution is that during the academic years 2024 and 2025, the victim was a minor student studying in the 10th standard. It is alleged that from September 2024 onwards, the accused repeatedly intercepted, stalked, and harassed the

victim on her way to classes and extended threats to the lives of her father and brother upon her refusal of his romantic advances. The accused further subjected the victim to continuous telephonic harassment and wrongful restraint outside her typing classes between April and May 2025.

3. The gravity of the offense escalated in June 2025 at about 03:30 PM, when the accused allegedly intercepted the victim near her classes and, under threat, forcibly took her on his motorcycle to the house of one Rohit, where he committed sexual intercourse against her will. It is further the case of the prosecution that from July 2025 to September 2025, the accused capitalized on the victim's fear, repeatedly took her to the same house and maintained forced physical relations with her under duress. Following persistent telephonic demands from the accused for continued physical relations, the victim disclosed the ordeal to her parents, culminating in the registration of the present FIR.

4. The learned counsel for the applicant relies on the material match in age between the applicant and the victim and possess the maturity to engage in mutual affection. The FIR is lodged with unexplained delay. The investigation is complete and the charge-sheet has been filed. Nothing further remains to be

recovered from the applicant. It is, therefore, prayed that the application be allowed.

5. The learned APP for the State vehemently opposed the application, submitting that the accused subjected the victim to sexual exploitation. Given the serious nature of the offense, it is contended that the applicant's release on bail would pose a significant risk of tampering with witnesses. Consequently, the prayed for the application to be rejected.

6. The learned counsel for respondent No. 2 / informant on instructions submits that the victim has no objection to release the applicant on bail.

7. Considering the submissions from both sides and perusing the record, including the charge-sheet, *prima facie* the the existence of a voluntary, consensual relationship between two young individuals, highlighting that the case was registered only after the intervention of the victim's parents.

8. Furthermore, the material available on record indicates a minimal and proximate age difference between the applicant and

the victim. Both individuals belong to a similar age group and demographic background. The nature of the allegations involving repeated telephonic communication, mutual meetings near educational centers and voluntary movement across public spaces prima facie indicates a relationship rather than a case of sudden or predatory violence.

9. In view of the above, it is evident that the incident was not reported promptly. Thus, the emerging factual matrix makes out a prima facie case in favour of the applicant in the wake of unexplained delay while lodging the report. Moreover, during the course of the hearing, the learned Counsel appearing on behalf of the informant / victim, upon instructions, has expressly submitted before this Court that the victim has no objection to the release of the applicant on bail.

10. Nevertheless, the investigation of the case has been completed and the charge-sheet has also been filed. Nothing remains to be recovered from the applicant. Thus, no fruitful purpose would be served by keeping the accused incarcerated any further.

11. Keeping in view the peculiar facts and circumstances of

the case, the applicant entitled for bail. The learned APP's apprehension about tampering with the prosecution evidence can be adequately taken care of by imposing stringent conditions.

12. The High Court Legal Services Sub-Committee, Aurangabad, to pay the fees quantified at Rs. 5,000/- (Rs. Five Thousands Only) to the learned counsel appointed on behalf of respondent No. 2.

13. Resultantly, following order is passed :-

ORDER

- (I) Application is **allowed**.
- (II) Applicant – Faran @ Munna Hahusnoddin Sayyed, be released on regular bail on furnishing P.R. bond of Rs. 50,000/- (Fifty Thousand Only) with one or two local solvent sureties in the like amount, in connection with Crime No. 322 of 2025 registered with Jalgaon Taluka Police Station, Dist. Jalgaon for the offences punishable under Sections 63(d)(vi), 64(2)(m), 65(1), 78, 126(2), 351(2), 351(3) of Bharatiya Nyaya Sanhita, 2023 and Sections 4 and 6 of the Protection of Children from Sexual Offences Act, 2012, on the following conditions :-
 - (a) The applicant shall attend each and every date of the Trial Court, unless exempted by the Trial Court.

- (b) Except attendance ordered above in the Trial Court, the applicant shall not enter into the entire Jalgaon City, till conclusion of trial.
 - (c) The Applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
 - (d) The applicant shall submit his Aadhar and Pan Card to the Investigation Officer and detailed addresses and phone numbers of applicant and two of the near relatives.
 - (e) It is clarified that in the event of a breach of any of the conditions imposed herein, the prosecution shall be at liberty to move the concerned Court for cancellation of bail, notwithstanding the fact that this bail has been granted by this Court.
- (III) Needless to states that the observations rendered herein are to the extent of this application and the trial court shall not be influenced by the same.

(SACHIN S. DESHMUKH, J.)