**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**CIRCUIT BENCH AT KOLHAPUR**
**CRIMINAL APPELLATE JURISDICTION**
**ANTICIPATORY BAIL APPLICATION NO. 481 OF 2026**

Shrishailya Mohan Khade ...Applicant

*Versus.*

The State of Maharashtra and Ors. ...Respondents

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Mr. Prasad Kharade, Advocate for the Applicant.

Mr. S. H. Yadav, APP for the Respondent – State.

Ms. Dipali Kamalakar, Advocate for the Respondent No. 2.

PC V. N. Sapkal, Mhaswad Police Station, is present.

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**CORAM : ASHWIN D. BHOBE, J.**
**DATE : 7th October, 2026.**

**P.C.** :

1. Heard, Mr. Prasad Kharade, learned Advocate for the Applicant, Mr. S. H. Yadav, learned APP for the Respondent – State and Ms. Dipali Kamalakar, learned Advocate for the Respondent No. 2.

2. By this Application filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, the Applicant is seeking pre-arrest bail apprehending arrest in connection with Crime No. 208 of 2026, registered with Mhaswad Police Station, District Satara, for the offences punishable under Sections 79 and 351(2) of the Bharatiya Nyaya Sanhita, 2023 and under Sections 11 and 12 of the Prevention of Children from Sexual Offences Act, 2012.

3. Mr. Prasad Kharade, learned Advocate for the Applicant, states that the Applicant is the sole accused in Crime No. 208 of 2026.

4. In brief, the prosecution case is that on 21.07.2026, at about 5:00 pm, the Applicant, while on his motorcycle, made indecent gestures towards the Victim. Thereafter, on 27.07.2026, at 1:30 am, when the Victim and her family members were asleep in their courtyard, the Applicant arrived on his motorcycle and honked. After making indecent gestures, he left the spot. Based on this, Respondent No. 2, the Victim's mother, registered the complaint.

5. Mr. Prasad Kharade, learned Advocate for the Applicant, states that the Applicant is a college-going student, aged 21 years, pursuing a Bachelor of Pharmacy Degree at Mandesh Institute of Pharmaceutical Science and Research Center, Mhaswad. He submits that the Applicant is not involved in the alleged offences. He submits that the Applicant's family and the family of the Respondent No. 2 are involved in a land dispute. He submits that to pressurise the Applicant and his family members and settle the land dispute, Respondent No. 2, taking advantage of the minor victim, has filed the complaint against the Applicant. He submits that the Applicant's education would be hampered if the Applicant is arrested. He submits that the Applicant

shall appear and report to the Investigating Officer at Mhaswad Police Station as and when required, and that the Applicant shall co-operate with the investigation in Crime No. 208 of 2026.

6. Mr. S. H. Yadav, learned APP for the Respondent – State, submits that the Applicant has not co-operated with the investigation.

7. Ms. Dipali Kamalakar, learned Advocate for Respondent No. 2, submits that the Applicant has indulged in making indecent gestures towards a minor and in disturbing the peace on the night of 27.07.2026. She further submits that the motorcycle on which the Applicant was travelling at the time of the incident has yet to be attached. She further submits that the Sessions Court has rightly rejected the Bail Application.

8. Perused the record with the assistance of the learned Advocates for the parties.

9. The FIR was lodged on 27.07.2026 in respect of two incidents, the first on 21.07.2026 and the second on 27.07.2026. The complaint does not explain why the alleged incident of 21.07.2026 was not reported immediately.

10. Considering the nature of the allegations in Crime No. 208 of 2026 against the Applicant and the contention of Mr. Prasad Kharade, learned Advocate for the Applicant, that there is a property dispute between the Applicant and Respondent No. 2, prima facie the possibility of the Applicant being implicated in the crime cannot be ruled out.

11. Given the nature of the allegations against the Applicant, an undergraduate student, the custodial interrogation of the Applicant in Crime No. 208 of 2026 is not necessary.

12. In view of the above, this Application is allowed on the following terms :-

(a) In the event of arrest of the Applicant in Crime No. 208 of 2026, registered with Mhaswad Police Station, the Applicant shall be released on bail upon furnishing a PR bond of Rs. 20,000/- with one or two sureties in the like amount, to the satisfaction of the Investigating Officer of Mhaswad Police Station.

(b) Applicant shall appear and report to the Investigating Officer, Mhaswad Police Station, on 10th and 11th October, 2026, from 10:00 am to 1:00 pm and

thereafter as and when required by the Investigating Officer. The Applicant shall co-operate with the investigation in Crime No. 208 of 2026.

(c) Applicant shall not contact the victim / Respondent No. 2 or any of the family members of the Respondent No. 2. The Applicant shall not directly or indirectly make any inducement, threat or promise to any person/s acquainted with the facts of the case to dissuade such person/s from disclosing the facts to the Court or any police officer.

(d) Applicant shall not tamper with evidence in any manner.

(e) The Applicant shall provide the Investigating Officer at Mhaswad Police Station his residential address with proof, his contact number and email, and must inform the Investigating Officer of any changes to this information from time to time.

13. The High Court Legal Services Committee, Mumbai, Circuit Bench at Kolhapur, shall quantify and pay the legal fees payable under the

Legal Aid Scheme to Advocate Ms. Dipali Kamalakar, who has appeared and represented Respondent No. 2 in this Application.

14. Anticipatory Bail Application No. 481 of 2026 is disposed of.

(ASHWIN D. BHOBE, J.)

ARJUN KRISHNA RODGE
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Date: 2026.10.07 19:38:51 +0530