IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLN. NO. 944 OF 2026

Shridhar Sharad Thik … Applicant

Vs.

The State Of Maharashtra and Ors. … Respondents

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- Mr. Umesh Mankapure (Through VC) i/b Mr. Siyal F. Magdhum, for the Applicant.
- Ms. Shubhangi N. Deshmukh, A.P.P., for the Respondent No.1 – State.
- Ms. Sarpata S. Gotpagar, for the Respondent No.2.
- Officer: H. C., Mr. P. R. Sutar, Palus Police Station, present.

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CORAM : SHAILESH P. BRAHME, J.

DATE : 3rd NOVEMBER, 2026.

P. C. :

. Heard both the sides.

2. Applicant is seeking enlargement on bail in in offence bearing C.R.0111 of 2026 punishable under Sections 64 (2) (m), 64(2)(I), 88, 351(2), 351(3), 54, 55 of the Bhartiya Nyaya Sanhita, 2023, Sections 4, 5, 6, 8, 12, 17 of the Protection of the Children from Sexual Offence Act, 2012 and 3(1)(r), 3 (1)(w)(i), 3(1)(w)(ii), 3 (2) (va), 3 (2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act,

1989. Applicant is behind bars since 26th March 2024 and the charge-sheet is filed on 4/7/2024.

3. It is reported by respondent no.2-informant that she entered into friendship with co-accused before 7 to 8 months. He enticed her and started advancing her. The couple had sexual encounter in Crown Cafe at Palus. It is further alleged that he repetitively exploited her by threats of making the video viral. She is stated to be impregnated also. She is stated to have been blackmailed by making her obscene photographs viral.

4. Learned counsel for the applicant submits that he is the owner of the cafe and has no role to play in the offence. No overt act is alleged against him in the statement of the victim under Section 183. The supplementary statement of the victim is afterthought. There is no material to show that there was any dealings between applicant and co-accused. His involvement is afterthought.

5. Per contra, learned APP submits that the role of the applicant is incriminating, as he has facilitated the co-accused to commit serious offence repetitively. The cafe owned by him does not have camera. His conduct would indicate that he was in collusion with co-accused and every precaution is taken to see that couple is not disturbed. He is stated to have been pressurizing the witnesses and C.R. No. 145 of 2025 has been lodged.

6. Learned counsel appearing for the respondent victim submits that the applicant provided the privacy to the co-accused, by charging extra money. The cafe has been used for illegal activities. The release of the applicant is likely to influence the witnesses. The father of the victim sustained shock and died.

7. Applicant is the owner of the Crown Cafe situated at Palus, where the co-accused used to bring the informant for his sexual pleasures. First Information Report does not attribute any incriminating role to the applicant. It is relevant to notice that informant, though was minor, was of 17.1 years at the relevant time, and the co-accused is child in conflict with the law.

8. I have considered supplementary statement and statement under Section 183 of the BNSS of victim, as well as statements of her mother. I have reservations for the allegation that the victim has been exploited forcibly or by exerting any coercion. The role of the applicant is that of owner of the cafe where the instances took place. No material is collected to show that applicant charged extra money from the co-accused and facilitated and provided the place to him.

9. Only in the supplementary statement of the victim and in the statement of her mother and father recorded after 28 days, the allegations are leveled against the applicant. Those can be said to be

afterthought.

10. No antecedents reported against the applicant. The cafe in question has been closed down. Applicant is resident of different place. I have gone through offence bearing C.R. No. 145 of 2024. That itself is not sufficient to detain him further. His further incarceration is not required. Hence, I pass the following order :

ORDER

(i) Bail Application is allowed.

(ii) Applicant-Shridhar Sharad Thik hall be released on bail in C.R.0111 of 2026 punishable under Sections 64 (2) (m), 64(2)(I), 88, 351(2), 351(3), 54, 55 of the Bhartiya Nyaya Sanhita, 2023, Sections 4, 5, 6, 8, 12, 17 of the Protection of the Children from Sexual Offence Act, 2012 and 3(1)(r), 3 (1)(w)(i), 3(1)(w)(ii), 3 (2) (va), 3 (2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 on furnishing cash surety in the sum of Rs.50,000/- (Rupees Fifty Thousand Only) with one or more solvent sureties in the like amount, on the following conditions.

(a) The Applicant shall not contact the prosecution evidence and shall not tamper the prosecution evidence.

(b) The Applicant shall surrender his Aadhar Card and

PAN Card copies to the Investigating Officer.

(c) The Applicant shall co-operate for expeditious disposal of the trial and attend the dates punctually.

(d) In the event of any tangible attempt to tamper with the prosecution evidence or contact the prosecution witnesses, the prosecution shall be at liberty to seek cancellation of bail.

(iii) Bail application is disposed of accordingly.

(iv) In view of disposal of bail application, pending application, if any, also stand disposed of.

(SHAILESH P. BRAHME, J.)