IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR
CRIMINAL APPELLATE JURISDICTION
ANTICIPATORY BAIL APPLICATION NO. 758 OF 2024

Samir Iqbal Jamadar … Applicant

Versus

The State of Maharashtra And Anr. … Respondents

Mr. Pratik Tare, Advocate for the Applicant.

Mr. C. D. Mali, APP for the Respondent – State.

Mr. Bhushan Raut, Advocate for the Respondent No. 2 (Appointed through Legal Aid).

ASI Uday Popat, Ichalkaranji Police Station, is present.

CORAM : ASHWIN D. BHOBE, J.
DATE : 13th October, 2026.

P.C. :

1. Heard Mr. Pratik Tare, learned Advocate for the Applicant, Mr. C. D. Mali, learned APP for the Respondent – State and Mr. Bhushan Raut, learned Advocate for the Respondent No. 2.

2. On 19.03.2024, the following order was passed :-

> *1. The Applicant is seeking anticipatory bail in connection with C.R.No.60/2024 registered with Ichalkaranji Police Station, District-Kolhapur on 11.2.2024 under Sections 354, 506 read with 34 of IPC and under Section 12 of the Protection of Children from Sexual Offences Act, 2012 (for short, 'POCSO Act').*
>
> *2. Heard Mr. Pratik Tare, learned counsel for the Applicant and Mr. C.D. Mali, learned APP for the Respondent-State.*

3. Learned APP is seeking time as the investigating officer is not present. Therefore, I have heard learned counsel for the Applicant for consideration of ad-interim relief.

4. The FIR is lodged on 11.2.2024 by the grand-mother of the victim, who was about 11 years & 11 months old. The Applicant was having his garment business next to the house of the informant. His son used to visit the Applicant's business place sometimes. On 10.2.2024, one Aman aged 11 years came near the victim and pointed towards the Applicant's son and said something. The victim ran away from there and went to a neighbour's house and started crying. At that time, the informant asked her as to why she was crying. The victim told them that Aman was asking her whether there was love affair between the victim and the Applicant's son. The informant came to the Applicant to question him. He threatened them and did not give proper answers. On this basis, the FIR is lodged.

5. Learned counsel for the Applicant submitted that from the bare reading of the FIR, no offence is made out. No role is played by the Applicant or even by his son. The registration of FIR is itself was unnecessary. There are hardly any allegations against the present Applicant.

6. Having read the FIR, I find force in the submissions of learned counsel for the Applicant. However, since this is an offence under the POCSO Act, it is necessary to hear the first informant. Hence, the following order :

ORDER

(i) In the event of his arrest in connection with C.R.No.60/2024 registered with Ichalkaranji Police Station, District-Kolhapur, till the next date, the Applicant be released on bail on his executing P.R. bond in the sum of Rs.30,000/- (Rupees Thirty Thousand Only) with one or two sureties in the like amount.

(ii) This order shall operate till 22.4.2024.

(iii) Issue notice to the Respondent No.2, returnable on 22.4.2024. The investigating officer shall inform the Respondent No.2 about the next date of listing and shall

make a statement to that effect in the Court on the next occasion.

(iv) Stand over to 22.4.2024.

3. Mr. Pratik Tare, learned Advocate for the Applicant, states that the Applicant had appeared before the Investigating Officer, Ichalkaranji Police Station, in Crime No. 60 of 2024 and co-operated with the investigation. He submits that the investigation is complete, the chargesheet has been filed before the Additional Sessions Judge, Ichalkaranji and the same is registered as Special Case No. 24 of 2024. He submits that the Applicant is regularly appearing before the Sessions Court at Ichalkaranji in Special Case No. 24 of 2024.

4. Mr. C. D. Mali, learned APP for the Respondent – State and Mr. Bhushan Raut, learned Advocate for the Respondent No. 2, confirm the statement made by Mr. Pratik Tare, learned Advocate for the Applicant, that the Crime No. 60 of 2024, is now pending trial before the Sessions Court, Ichalkaranji and the same is registered as Special Case No. 24 of 2024.

5. Mr. Bhushan Raut, learned Advocate for the Respondent No. 2, submits that Sessions Case No. 24 of 2024 is pending. He submits that in addition to the conditions this Court may deem fit to impose on the

Applicant, a condition that the Applicant shall not contact the Respondent No. 2, till the conclusion of trial in Special Case No. 24 of 2024, be imposed.

6. Considering the statements made by Mr. Pratik Tare, learned Advocate for the Applicant, Mr. C. D. Mali, learned APP for the Respondent – State and Mr. Bhushan Raut, learned Advocate for the Respondent No. 2, the Applicant being on interim bail since 19.03.2024, and there being no allegations of the Applicant having breached any of the bail conditions of the the order dated 19.03.2024, this Application is allowed by confirming the order dated 19.03.2024 and making the same absolute in terms of paragraph no. 6(i) with the following additional conditions :-

> (I) Applicant shall not contact the 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.

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

(III) Applicant shall provide the Investigating Officer, Ichalkaranji 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.

7. Anticipatory Bail Application No. 758 of 2024 is disposed of.

(ASHWIN D. BHOBE, J.)

ARJUN KRISHNA RODGE
Digitally signed by ARJUN KRISHNA RODGE
Date: 2026.10.14 20:09:40 +0530