

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

CRIMINAL BAIL APPLICATION NO. 1479 OF 2025

SHIVAJI DADA HAGWANE BHOSALE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

Mr. Laxman Kalel, Advocate for Applicant
Ms. Veera Shinde, APP for Respondent No.1/State
Mr. Abhang Suryawanshi, Advocate for Respondent No.2
(Appointed)

...

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 14TH JANUARY, 2026

PER COURT :

1. By this application, the applicant seeks bail in C.R. No.426/2024, registered with Atpadi Police Station, District Sangli, for offence punishable under Sections 376, 376(3), 376(AB) of the Indian Penal Code and Sections 4, 5(j)(2) and 6 of the Protection of Children from Sexual Offences Act.

2. Prosecution case is that victim is minor girl of 12 years 3 months and 8 days. Her mother lodged report at Atpadi Police Station stating that on 28/10/2024, she along with the minor victim had gone to attend marriage ceremony of her sister's son at Datewadi, District Sangli. On 30/10/2024, the victim started feeling pain in her stomach. She was taken to Rural Hospital, Waduj. On examination she was found to be pregnant. She was shifted to ICU

of the Civil Hospital, Satara. There she gave birth to a dead male child. On inquiry victim told that applicant had established forceful physical relation with her in the month of March, 2024, when she was alone in the house. Though she had resisted the said act, but he prevailed on her. He threatened her that if she discloses the incident to anybody, he would defame her in the society by saying that she used to have physical relations with him by accepting money. Therefore, the victim did not disclose the incident.

3. Heard learned advocate for applicant, learned APP for respondent No.1 / State and learned advocate for second respondent. Perused the investigation papers.

4. The applicant, a 56 years old man, has committed rape on minor girl of 12 years, who resides adjacent to his work place. He has also threatened her not to disclose the said incident to anybody, else he would defame her in the society. Under the fear of defamation the victim has not disclosed the incident to anybody. It is only after she started having stomach pain, she was referred to hospital and there it was revealed that she is pregnant. When the informant took her into confidence, she disclosed about the rape committed by applicant. The DNA report confirms that applicant is biological father of the still born child. The victim in her statement has disclosed the act committed by the applicant. There is

overwhelming evidence of involvement of applicant in the serious crime of raping a minor.

5. Taking into consideration the gravity of offence and as the trial has already commenced and only four witnesses are remained to be examined, it is not desirable to release the applicant on bail. Application is, therefore, dismissed.

(NITIN B. SURYAWANSHI, J.)