

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

CRIMINAL BAIL APPLICATION NO. 3438 OF 2025

YASH BHARAT BANSODE  
VERSUS  
THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Jaydeep D. Mane, Mr. Yash Fadtare,  
Mr. Mihir Mondkar

Advocate for Respondent No.1 : Ms. Dr. A. A. Takalkar

Advocate for Respondent No.2 : Ms. Twinkal Kotawadekar  
(Appointed)

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**CORAM : SACHIN S. DESHMUKH, J.**

**DATE : 11-03-2026**

**PER COURT:-**

1. The applicant is seeking regular bail in Crime No.257 of 2025 registered with Mohol Police Station, District Solapur, for the offences punishable under Sections 64(1), 64(2)(f), 64(2)(m), 65(2) of the *Bharatiya Nyaya Sanhita, 2023* and Sections 4, 8, 10 and 12 of the Protection of Children From Sexual Offences Act, 2012 ('POCSO Act', for short). In connection with the said crime, the applicant is arrested on 03.03.2025. Upon completion of the investigation, the chargesheet is filed on 21.03.2025.

2. The prosecution case is that during the period between 19.08.2024 to till February 2025, in the house of informant, the applicant being a relative repeatedly committed sexual assault

with the victim and threatened to kill her, if she disclosed the same. Hence, the informant lodged report.

3. Learned counsel for the applicant submits that there is a civil dispute between the family of applicant and the victim. The parents of the victim lodged false complaint against the applicant. There is unexplained delay in lodging the report. The applicant is a student. The investigation is complete and the chargesheet is filed. The trial will take time to conclude. Hence, prayed to admit the applicant to bail.

4. The learned APP for respondent No.1/State and the learned counsel for respondent No.2/victim strongly opposed the application and contended that the victim is minor at the time of the incident. As per statement of the victim indicates that there was sexual assault with the victim and, therefore, the offence is serious in nature. Further, expressed the apprehension that the applicant is likely to abscond and tamper with the prosecution witnesses, if released on bail. Hence, prayed to reject the application.

5. Upon considering the submissions and perusing the material on record, including the statement of the victim *prima facie* indicates that there is unexplained and inordinate delay in lodging the report. Apart from the same, the prosecution case is not, *prima facie*, supported by the medical examination report. In view

of the aforesaid aspect, at this stage, the possibility of over-implication cannot be ruled out, especially considering the delayed allegations regarding physical assault. The applicant is arrested on 03.03.2025.

6. Nevertheless, the investigation is complete for all intent and purpose, resultantly, the chargesheet is filed. Having regard to the number of the accused and the witnesses which the prosecution proposes to examine, it is very unlikely that the trial can be commenced and concluded within a reasonable period. As such, further incarceration, in the circumstances of the case, does not seem to be either warranted or justifiable. I am, therefore, persuaded to exercise the discretion in favour of the applicant.

7. Hence, the following order:-

#### ORDER

- (i) The criminal bail application is allowed.
- (ii) Applicant, Yash Bharat Bansode, be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rs.Fifty Thousand), with one solvent surety of the like amount in Crime No.257 of 2025 registered with Mohol Police Station, District Solapur, for the offences punishable under Sections 64(1), 64(2)(f), 64(2)(m), 65(2) of the *Bharatiya Nyaya Sanhita*, 2023 and Sections 4, 8, 10 and 12 of the Protection of Children From Sexual Offences Act, 2012, on the conditions

that;

- (a) The applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
- (b) The applicant shall attend the trial on each and every date unless exempted by the trial Court.
- (c) The applicant shall submit their Aadhar and Pan Cards to the Investigation Officer and detailed addresses and phone numbers of applicants and two of the near relatives.
- (d) In case of breach of any of the conditions by the applicants, it is open for the Prosecution to move this Court seeking cancellation of bail.
- (iii) The Secretary, High Court Legal Services Sub-Committee, Circuit Bench at Kolhapur to pay the fees of the appointed counsel for respondent No.2/victim as per schedule.
- (iv) Needless to state 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]  
JUDGE

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