IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIRCUIT BENCH AT KOLHAPUR

CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.3574 OF 2025

Sandeep @ Vyankatesh Raju Goski .....Applicant
Vs.
The State of Maharashtra & Anr. .....Respondents

Mr. Ritesh M. Thobade (Through VC) with Mr. Mervin Bardeskar, i/b. Mr. Darshan Singh Rajpurohit, for the Applicant.
Ms. Priyanka S. Rane, APP, for the Respondent No.1-State.
Ms. Savita Shedbale (Through VC), Appointed Advocate for the Respondent No.2.
Mr. Navnath Sakhare, PSI, Sadar Bazar Police Station, Solapur City, is present.

CORAM : MRS. VRUSHALI V. JOSHI, J.

DATED : 10th FEBRUARY 2026

P.C.:-

1. The Applicant is arrested in Crime Registration No.403 of 2025 registered with Sadar Bazar Police Station, Solapur City for the offences punishable under Sections 65, 75, 74, 79, 78, 126(2), 351(2), 351(3) and 3(5) of Bharatiya Nyaya Sanhita, 2023 ('**BNS**'), Sections 4, 8, 12 and 15 of the Protection of Children from Sexual Offences ('**POCSO**') Act, 2012 and Section 67B of the Information Technology Act, 2000.

2. It is alleged that the Applicant followed the minor girl, who is

12 years and 2 months of age. The Applicant was the trainer of skating and he saw her and started giving her chocolates and thereafter chits and told her that he likes her. Thereafter he asked her to chat with him on snap chat and he sent his nude photograph and in return asked her photograph and thereafter, they started meeting. He used to give her chits. Thereafter he kissed her and on one occasion took her at one construction site and touched her inappropriately. She was scared. The parents of the victim found that she was under stress and when they took her in confidence and asked her, she narrated about the bad touch by the Applicant and thereafter, the FIR is registered. On supplementary statement, when she has narrated about touching her private part by the Applicant, the offence under Sections 74 and 75 of the BNS is registered against this Applicant.

3. The counsel for Applicant has stated that the Applicant is 23 years of age. They were having love affair. He has filed on record a letter forwarded by the victim which shows that she is also having love affair. As one of the lady found both of them together and she informed about it to her parents, the complaint is lodged and crime

is registered. The medical report is not supporting the statements made by the Applicant. Only to improve the gravity of the offence, the supplementary statement was recorded and inappropriate touch is mentioned. The Applicant is also of 23 years of age. Thus, out of love and mistake of tender age, the offence is committed and hence, prayed to release him on bail.

4. The learned APP opposed the application stating that the statement of victim itself shows that she was scared and she has mentioned about inappropriate touch. The brother of the victim was also scared and he has also given the statement. Considering the statement made by the victim, who is 12 years of age and crime is disclosed from behaviour of the victim, this is not a fit case to release the Applicant on bail and hence, prayed to reject the application

5. Considering the serious allegations made against the Applicant, the counsel for Respondent No.2 also opposed the application for release of Applicant on bail.

6. Heard learned counsel appearing for both the parties.

7. The statement made by the victim is that she was scared of the

Applicant as he has touched her inappropriately to her private part. She was aware about the bad touch and she has narrated to her mother about it. The history given by the victim to the doctor that she was having trouble while urinating. The victim, who is 12 years of age, unable to differentiate between the love and lust. When she experienced it and found that it is a bad touch, she has disclosed it to her mother. Considering the allegations made against this Applicant, this is not a fit case to release the Applicant on bail.

8. Hence, the Application is rejected.

(MRS. VRUSHALI V. JOSHI, J.)

RAJU DATTATRAYA GAIKWAD
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