

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

BAIL APPLICATION NO.3710 OF 2025

**RAJENDRA BHIKAJI ZIMAL
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER**

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Mr. Somnath Thengal, Advocate for Applicant
Ms. A. A. Takalkar, APP for Respondent No.1/State
Mr. Dilip Shinde, advocate for respondent no.2
I.O. N. P. Nikam, Mhaswad Police Station, Satara

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CORAM : NITIN B. SURYAWANSHI, J.

DATE : 13TH JANUARY, 2026

PER COURT :

1. By this application the applicant seeks bail in C.R. No.188/2024, registered with Mhaswad Police Station, District Satara, for offence punishable under Section 376 r/w 34 of the Indian Penal Code, Sections 4 and 5 of the Protection of Children from Sexual Offences Act, 2012 and Sections 9 and 10 of the Prohibition of Child Marriage Act, 2006.

2. Prosecution case is that the informant is daughter of accused No.3 and accused No.6. In 2020, while studying in 7th Standard at Pune, despite knowing she was minor her parents along with accused No.1 Ganesh Sagar and Pooja Londhe performed her marriage with Ganesh. Ganesh ill-treated and deserted her and so-called dissolution of that marriage was brought

into existence illegally on an unregistered document. Thereafter the informant's parents forced her into second marriage with the present applicant. She started residing with him at Gangoti. In February, 2024 she was found to be five weeks pregnant. Applicant raised doubts about the paternity of the fetus, deserted her and left her with her parents at Pune. Her parents refused to maintain her and drove her away, forcing her to live under a bridge at Wakad, Pune. Through the intervention of a social worker she approached the Women and Child Development Department and was admitted to a rehabilitation home at Pune and thereafter to Sasoon Hospital.

3. Trial Court rejected bail application of the applicant in spite of affidavit filed by the victim withdrawing all the allegations against the applicant. In the trial Court the evidence of prosecution is recorded. The victim has not supported the prosecution case.

4. Learned APP, on instructions, submits that only two witnesses are remained to be examined and then the trial would conclude.

5. Fact remains that victim has not supported the prosecution case. It appears from record that applicant and the victim have married and a child is born to them. The victim is finding it difficult to raise the child without support of the applicant.

6. In view of the above peculiar facts, there is no propriety of further detention of applicant in the custody.

7. Hence, the application is allowed. Applicant Rajendra Bhikaji Zimal be released in connection with C.R. No.188/2024, registered with Mhaswad Police Station, District Satara, on executing personal bond of Rs.15,000/- with one surety in the like amount. Applicant shall scrupulously attend the Trial Court dates.

(NITIN B. SURYAWANSHI, J.)