

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

**CRIMINAL BAIL APPLN. NO. 21 OF 2026**

Sumitra Janardan Lengare

....Applicant

VERSUS

State Of Maharashtra

....Respondent

...

Ms. Shama Mulla a/w P. Salvi for the applicant

Mr. Nitin B. Patil, APP for the respondent-State

Mr. Maruti Sarkar for respondent no. 2

...

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

**DATE : 6<sup>th</sup> MARCH 2026.**

**P.C.**

1. The applicant seeks regular bail in connection with C.R. No. 357/2024 dated 09/09/2024 registered with Atpadi Police Station, District Sangli for offences punishable under Sections 64, 64(1), 64(2) (m), 74, 96, 351(2), 351(3), 3(5) of Bhartiya Nyaya Sanhita, 2023 and under Sections, 4, 6, 8, 12 of Protection of Children from Sexual Offences Act, 2012.

2. It is prosecution's case that on 10/08/2024 while victim is returning home from the school at about 12.00 noon, applicant pushed the victim inside the vehicle when she was helping her. Thereafter, alleged incident of sexual assault on the victim by co-accused took place.

3. Learned counsel for the applicant submits that there is unexplained delay in lodging F.I.R. and accused no. 1, being lady is enlarged on bail by this Court. As such, further incarceration of the applicant is unjustified.

4. Per contra, learned APP and learned counsel representing respondent no. 2 vehemently opposed the application submitting that the complicity of the applicant is apparent. The applicant is identified. Considering the severity of the offence, applicant is dis-entitled to be admitted to the bail.

5. Upon hearing learned counsel for the applicant, learned APP and learned counsel for respondent no. 2 and on perusal of the material on record, *prima facie*, it appears to be a case which is registered with an unexplained delay. Investigation is complete for all intent and purpose. Nevertheless, the applicant deserves to be admitted to the bail in view of the fact that accused no. 1 is enlarged on bail. Apart from the said fact,, the applicant is entitled to statutory protection of Section 480 of Bhartiya Nyaya Sanhita, 2023. The provision empowers the Court with the discretion to grant bail to a woman, even when the alleged offence carries penalties of death or life imprisonment. So far as the apprehension expressed by the learned APP and learned counsel for respondent no. 2, can be adequately taken care of by imposing stringent conditions.

6. In view of above, following order

**ORDER**

- (i) The bail application is allowed.
- (ii) Applicant, Sumitra Janardan Lengare, be released on bail, on furnishing P.R. bond in the sum of Rs.50,000/- (Rs.Fifty Thousand) with one or two local solvent sureties, in the like amount, in connection with C.R. No. 357/2024 dated 09/09/2024 registered with Atpadi Police Station, District Sangli for offences punishable under Sections 64, 64(1), 64(2) (m), 74, 96, 351(2), 351(3), 3(5) of Bhartiya Nyaya Sanhita, 2023 and under Sections, 4, 6, 8, 12 of Protection of Children from Sexual Offences Act, 2012 on the following conditions :-
  - (a) The applicant shall not pressurize the prosecution witnesses and 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 Aadhar and Pan Cards to the Investigating Officer and detailed address and phone numbers and two of the near relatives.
  - (d) In case of breach of any of the conditions by the applicant,

it is open for the Prosecution to move the concerned Court seeking cancellation of bail.

(e) The applicant shall not reside in Tahsil Atpadi till conclusion of trial.

(iii) Needless to state that the observations rendered herein are to the extent of decision of this application and the trial Court shall not be influenced by the same.

(SACHIN S. DESHMUKH, J.)

IRESH  
MASHAL

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