

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

CRIMINAL BAIL APPLN. NO. 28 OF 2026

Rohit Mahendra KadamApplicant
VERSUS
The State Of Maharashtra And AnrRespondent

Mr. Babasaheb D. Bhise, and Ms. Dipali Kamlakar Advocate for Applicant
Ms. Twinkal Kotawadekar for respondent no. 2
Mr. Anand S. Shalgaonkar APP for the State

**CORAM : SACHIN S. DESHMUKH, J.
DATE : 7th MARCH 2026.**

P.C.

1. The applicant seeks regular bail in connection with C.R. No. 16/2025 dated 09/04/2025 registered with Koynanagar Police Station, District Satara for offences punishable under Sections 64(2) (f), 64(2)(i), 64(2)(m), 94, 351(2) of Bhartiya Nyaya Sanhita, 2023 and Sections 4, 6, 8, 12 and 21 of Protection of Children from Sexual Offences Act, 2012.

2. Prosecution case is that, in 2024 the victim was studying in 9th standard. The victim was in love with her friend Akshay. They used to meet each other. They both met at Zilla Parishad Primary School. The uncle of victim saw them. The uncle of victim had assaulted Akshay Shinde and removed him from the village and threatened to

kill. Thereafter, Akshay and victim had been to Boudhvihar. At that time, the applicant saw the victim talking on phone with Akshay. The applicant rushed there and forcibly removed the cellphone of the victim and seen the photos of victim and Akshay Shinde. The applicant threatened the victim to maintain relations with him, show the mobile to her uncle and family members. Under fear, the victim agreed for the same. At that time, the applicant, had sexually assaulted the victim on several occasions.

3. Uncle of the victim had been to their village and noticed the pregnancy of victim. However, the mother of victim did not disclose the said thing to anybody. The victim delivered a child in the house itself and it was noticed that the baby was dead. After few days of the incident, report was lodged.

4. Learned counsel for the applicant submits that the applicant is falsely implicated in the case. There is inordinate delay which is unexplained in lodging the report. The victim had acquaintance with the applicant. There was consensual relationship between the applicant and victim. Investigation is complete and charge-sheet is filed. Hence, prayed to allow the application.

5. *Per contra*, learned APP and learned counsel for respondent no. 2 opposed the application submitting that involvement of the applicant is apparent. Applicant is involved in a serious crime. He

further expressed apprehension that if the applicant is enlarged on bail, there is every possibility of tampering with the prosecution evidence. Hence, prayed to reject the application.

6. Upon considering the rival submissions and perusal of material on record, *prima facie* it appears to be the case of consensual relationship. There appears to be inordinate delay in lodging the report which is unexplained. As such, *prima facie*, false implication cannot be ruled out.

7. Investigation is complete for all intent and purpose. Resultantly, the charge-sheet is filed. As such, further incarceration of the applicant would be unjustified. Considering the number of witnesses cited by the prosecution, it is unlikely that commencement and conclusion of trial will take place within a reasonable period.

8. The apprehension expressed by the learned APP about influencing prosecution witnesses, can be adequately taken care of by imposing stringent conditions.

9. Hence, following order:

ORDER

I. The bail application is allowed.

II. Applicant, Rohit Mahendra Kadam be released on bail, on furnishing PR. 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. 16/2025 dated 09/04/2025 registered with Koynanagar Police Station, District Satara for offences punishable under Sections 64(2)(f), 64(2)(i), 64(2)(m), 94, 351(2) of Bhartiya Nyaya Sanhita, 2023 and Sections 4, 6, 8, 12 and 21 of Protection of Children from Sexual Offences Act, 2012 on the following conditions :-

(a) The applicant shall not reside in Tahsil Patan till conclusion of trial 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 approach the Sessions Court seeking cancellation of bail, notwithstanding the fact that this Court has granted bail.

III. 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.

IV. Professional fees to be paid to learned counsel appointed through Legal Aid for respondent no. 2 as per Rules.

10. Application stands disposed of in above terms.

(SACHIN S. DESHMUKH, J.)

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