

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIRCUIT BENCH AT KOLHAPUR

CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 138 OF 2026

Sagar Dattatray Sabale

VERSUS

State Of Maharashtra And Ors

Mr. Omkar Tole, Advocate for Applicant

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

Ms. Supriya B. Koli for respondent no. 3

CORAM : SACHIN S. DESHMUKH, J.

DATE : 18th APRIL, 2026.

P. C. :

1. By this application, applicant is seeking regular bail in C.R. No. 193/2025 registered with Karmala Police Station, District Solapur for offences punishable under Sections 65(1), 64(2)(m), 332(b), 351(3) of Bhartiya Nyaya Sanhita, 2023 and Section 4 and 6 of Protection of Children from Sexual Offences Act, 2012.

2. Prosecution case is that, informant lodged complaint alleging therein that on 17/03/2025 at about 10:00 am her minor daughter complained of abdominal problem. Upon examination by doctor, it was disclosed that victim was pregnant. Upon enquiry the victim narrated that prior to four months, the applicant forcibly

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committed sexual intercourse with her.

3. Learned counsel for the applicant submits that the applicant is falsely involved in the case. Investigation is complete and charge-sheet is filed. As such, further incarceration of the applicant would be unjustified.

4. *Per contra*, learned APP assisted by learned counsel for respondent no. 3 opposed the application submitting that the applicant has indulged in sexually assaulting the victim who is 12 years and 8 months and in the process, the victim has delivered the child. The DNA report also confirms that the applicant is a biological father of the child.

5. Upon considering the submissions of learned counsel for the applicant, learned APP and learned counsel for respondent no. 3, and perusal of material on record indicates that applicant's involvement in the alleged incident is duly confirmed in the wake of DNA report which confirms the applicant is biological father of the child.

6. In that view of the matter, no case is made out warranting exercise of discretion in favour of the applicant.

7. Resultantly, application stands rejected.

8. Professional fees to be paid to learned counsel appointed through Legal Aid for respondent no. 3 as per Rules.

[SACHIN S. DESHMUKH, J.]