

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

CRIMINAL BAIL APPLICATION NO. 265 OF 2026

Tejas @ Sushant Raju Gore

VERSUS

The State of Maharashtra And Anr.

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Mr. D. M. Latake a/w Mr. Nikhil D. Gore and Mr. Pritam P. Gurav
Advocate for Applicant.

Ms. Ankita Chindage, for the Respondent No.3 through legal-aid.

Mr. Anand S. Shalgaonkar APP for the Respondent-State.

PSI Kishori Sabale, Shahapur Police Station, present.

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CORAM : SACHIN S. DESHMUKH, J.

DATE : 23rd APRIL, 2026.

P. C. :

1. Learned Advocate Ms. Ankita Chindage is appointed to
represent Respondent No.3.

2. The applicant seeks regular bail in connection with C.R. No.
300 of 2025 registered with Shahapur Police Station, District
Kolhapur for the offences punishable under Sections 64, 64(2)(i),
137(2), 351(2)(3) of the *Bhartiya Nyaya Sanhita, 2023* and
Sections 4, 8 and 12 of the Protection of Children from Sexual
Offences Act, 2012.

3. Learned Counsel for the applicant submits that the applicant
has been falsely implicated in the case. The relation between the

applicant and victim was consensual in nature. There is no force, threat or coercion at the instance of the applicant. The Investigation is completed and the charge-sheet is filed. The trial is unlikely to conclude within a reasonable period. As such, further incarceration of the applicant is not required. Hence, prayed to allow the application.

4. Per contra, learned APP assisted by learned counsel for Respondent No.3 opposed the application submitting that the offence is serious in nature. An apprehension is also expressed that if the applicant is enlarged on bail, there is every possibility of tampering prosecution witnesses. Hence, prayed to reject the application.

5. Having heard the submissions from both the sides and upon perusal of the record including charge-sheet indicates that victim is almost on the verge of majority. Initially, the FIR was lodged for the offence of kidnapping. Subsequently, the statement of the victim came to be recorded which prima facie indicates that the victim and the applicant were known to each other. However, the parents of the victim had warned against the same. Consequently, the victim and applicant eloped with an intent to marry and established sexual relations.

6. Given the totality of the circumstances, coupled with the inconsistencies in the statement of the victim, the possibility of over implication by the victim at the instance of the parents cannot be ruled out. Moreover, the provisional opinion in the medical report of the victim indicates, no sign of use of force subject to the FSL report.

7. Nevertheless, the investigation is complete for all intent and purpose, resultantly, the charge-sheet is filed. Having regard to the number witnesses which the prosecution proposes to examine, it is very unlikely that the trial can be commenced and concluded within a reasonable period. In this view of the matter, further incarceration of the applicant would be unjustified.

8. As far as the apprehension expressed by the learned A.P.P in relation to tampering prosecution witnesses is concerned, the same can be adequately taken care of by imposing stringent conditions. I am, therefore, persuaded to exercise the discretion in favour of the applicant.

9. Hence, the order :-

ORDER

I. The bail application is allowed.

II. Applicant - Tejas @ Sushant Raju Gore 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. 300 of 2025 registered with Shahapur Police Station, District Kolhapur for the offences punishable under Sections 64, 64(2)(i), 137(2), 351(2)(3) of the *Bhartiya Nyaya Sanhita, 2023* and Sections 4, 8 and 12 of the 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 not enter the jurisdiction of Shahapur Police Station till conclusion of trial except attending the dates before the concerned Court.

(c) The applicant shall attend the trial on each and every date unless exempted by the trial Court.

(d) The applicants shall submit Aadhar and Pan Cards to the Investigating Officer and detailed address, where they are likely to reside as well as their own phone numbers and that of their two near relatives.

(e) In case of breach of any of the conditions by the applicant, it is open for the Prosecution to approach the concerned 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. Learned counsel appointed to represent no.3 through legal-aid be paid professional fees as per Rules.

[SACHIN S. DESHMUKH, J.]