

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

CRIMINAL BAIL APPLICATION NO. 272 OF 2026

Rajendra Krishna Kasbe

....Applicant

VERSUS

State Of Maharashtra and Ors.

....Respondents

Mr. Datta Pawar a/w Mr. Eshan Nayak and Ms. Sakshi Jankar, for Applicant.

Mr. Anand Subhash Shalgaonkar, APP, for the Respondent-State.

Ms. Ankita Chindage, appointed Advocate for Respondent No.3.

Mr. Ashok Ramchandra Nalavade, father of the victim, present.

CORAM : MEHROZ K. PATHAN, J.

DATE : 16th JUNE, 2026.

P.C.

1. Heard learned counsel for the Applicant, learned APP for the Respondent-State and learned counsel for Respondent No.3.

2. The Applicant has approached this Court seeking regular bail in connection with Crime No.158 of 2026 registered with Karad City Police Station, District: Satara, for the offences punishable under Sections 75(1) and 78 of the Bharatiya Nyaya Sanhita, 2023 (for short, "BNS") and Sections 8 and 12 Protection of Children from Sexual Offences Act, 2012 (for short, "POCSO Act").

3. The prosecution case is that, the informant is a minor girl studying in 9th Standard. The Applicant is her class teacher. On 28th January, 2026, at about 9:30 a.m., while the victim was in the school, the Applicant approached her and questioned her regarding her absence from the school. He further told her that he used to view her photographs in his mobile phone. Thereafter, the Applicant was asking her to meet him outside the classroom but she did not respond out of fear. Subsequently, on 14th February, 2026 at 10:30 a.m., he again approached her and called her outside of the classroom and confronted her by stating that why was she online at 3:00 a.m. and asked her to meet him. The Applicant further held her hand and expressed his love, hence the F.I.R. filed by the complainant.

4. Learned counsel Mr. Datta Pawar for the Applicant submits that the Applicant is falsely implicated in the present crime. The allegations are all fabricated only with an intention to defame the Applicant who is having a respectable status in the society. Out of some private dispute, the Applicant has been dragged into the present case involving allegations of sexual exploitation of a young girl. The Applicant is not having any criminal antecedents. The Applicant is behind bars since 15th February, 2026. The entire investigation is completed and the charge-sheet has already been filed. Therefore, there is no apprehension that the Applicant may tamper with the

evidence. The Applicant undertakes to abide by any conditions that may be imposed by this Court. Hence, the application may be allowed by releasing the Applicant on bail.

5. Learned APP, on the other hand, strongly opposes the bail application on the ground that the Applicant is involved in serious offence registered under Sections 8 and 12 of the POCSO Act. Even though the offence is punishable with imprisonment up to five years, however, taking into consideration, the tender age of the victim-complainant and the statement of the other girls from the village, which substantiate the allegations made by the victim, the Applicant may not be released on bail. Learned APP further submits that there is apprehension that, if the Applicant is released on bail, may again commit identical offence and threaten the complainant, who is minor, thereby causing prejudice to the prosecution case.

6. Learned appointed counsel Ms. Ankita Chindage for Respondent No.3 submits that the allegations made in the F.I.R. *prima facie* disclose the commission of the offence alleged. However, she fairly admits that the father of the complainant, who is present in the Court, has no objection for releasing the Applicant on bail. She further submits that, in the event the Applicant is released on bail, strict conditions may be imposed upon him.

7. I have gone through the investigation papers which is culminated into filing of the charge-sheet. A perusal of the charge-sheet shows that the entire investigation is already complete. Even the statement of the complainant has been recorded under Section 183 of the BNSS before the learned Magistrate. The other witnesses have not come forward to record their statement under Section 183 of the BNSS. The father of the complainant, who is present in the Court, and has expressed no objection to grant bail. The investigation is already complete and that the Applicant is behind bars since 15th February, 2026, no fruitful purpose would be served for further incarceration of the Applicant. Such continued detention would amount to pre-trial detention, which is deprecated by the Hon'ble Supreme Court. Hence, I am inclined to pass the following order:-

ORDER

- i. The application is allowed.
- ii. The Applicant - Rajendra Krishna Kasbe be released on bail on furnishing P.R. Bond in the sum of Rs.50,000/- (Rupees Fifty Thousand) with two solvent sureties in the like amount, in connection with Crime No.158 of 2026 registered with Karad City Police Station, District: Satara, for the offences punishable under Sections 75(1) and 78 of the Bharatiya Nyaya Sanhita, 2023 (for short, "BNS") and Sections 8 and 12 Protection of Children from Sexual

Offences Act, 2012 (for short, “POCSO Act”), on the following conditions:

- A) The Applicant shall attend the concerned police station on 1st date of every month between 11:00 a.m. to 1:00 p.m., till completion of trial.
- B) The Applicant shall not tamper with the prosecution evidence and shall not influence the witnesses.
- C) The Applicant shall not contact the victim and complainant as well as the other witnesses.
- D) The Applicant shall submit his Aadhar Card and PAN Card copy to the Investigating Officer and detailed addresses of the residence and phone numbers of himself and two of the near relatives.
- E) A single violation of any conditions imposed upon the Applicant, or any attempt to contact, influence, or threaten the complainant, shall entitle the prosecution to seek cancellation of bail.

8. The fees of the learned appointed counsel Ms. Ankita Chindage, shall be quantified as per rules by the High Court Legal Aid Sub-Committee.

9. In view of the aforesaid terms and conditions, the application is allowed and stands disposed of.

(MEHROZ K. PATHAN, J.)