

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 42 OF 2026

Navnath Shankar Bad	...Applicant
Versus	
The State Of Maharashtra And Anr.	...Respondents

Mr. Amol Amarnath Kanki i/b Mr. Digvijay S. Patil, for Applicant.

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

Mr. Paras Yadav, for Respondent No.2.

CORAM : MEHROZ K. PATHAN, J.

DATE : 10th JUNE, 2026.

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1. Heard learned counsel for the Applicant, learned APP for the Respondent-State, and learned counsel for Respondent No.2.

2. The Applicant has approached this Court seeking a regular bail in connection with Crime No.368 of 2025 registered with Natepute Police Station, Solapur Rural, for the offences punishable under Sections 74, 118(1), 115(2), 352, 351(2), 189(1), 189(2), 191(1), 190 and 119(1) of the Bharatiya Nyaya Sanhita, 2023 (for short, "BNS").

3. The prosecution case is that the incident took place on 24/10/2025 at about 9:30 p.m. in front of her house situated at

Shinde Vasti, Pimpri, Tal. Malshiras. According to informant when she and her daughter seated in front of TV set, somebody came outside the house uttering that they came from Natepute police station and therefore he has opened the door of his house. The informant has alleged that he noticed three accused persons Shankar, Navnath and Savita along with three unknown persons who started physically assault to him by means of rope. Furthermore, the informant has alleged that accused Navnath, Savita gave abuses, threat him and assaulted him by means of fist and kick blows. As per informant one person out of unknown persons has assaulted by means of wire on his back, thigh whereas other person came there by holding knife, revolver and uttered to kill the informant. According to the informant when his daughter came there, started shouting, accused Navnath has outraged her modesty. So also the informant has alleged that accused Navnath has taken away his mobile.

4. Learned counsel for the Applicant submits that the Applicant is falsely implicated in the present crime. It is further submitted that the Applicant No.3 had earlier lodged F.I.R. bearing Crime No.332 of 2025 against the informant, who had allegedly been harassing her, and that the present F.I.R. is a counterblast to the said F.I.R. The Applicant and the Complainant are permanent residents of vilalge Pimpri, Tal. Malshiras, and there is no likelihood of the

Applicant fleeing away from the ends of justice. It is further submitted that the Applicant was not even present on the spot of the incident as could be seen from the C.C.T.V. footage of the petrol pump Zirapwadi, Taluka Phaltan, District: Satara. The Applicant is not having any criminal antecedents and he is ready to abide by any conditions that may be imposed by this Court. Hence, the Applicant may be released on bail.

5. Learned APP as well as the learned counsel for Respondent No.2 strongly opposes the bail application on the ground that the Applicant is involved in a serious offence of stalking and outraging the modesty of the minor victim girl. It is further submitted that the stringent provisions of the Protection of Children from Sexual Offences Act, 2012 (for short, "POCSO Act") are invoked in the present case. There is a presumption under the POCSO Act against the Accused. The Applicant if released on bail, may again threaten the complainant and thereby cause prejudice to the prosecution case. Hence, the Applicant may not be released on anticipatory bail.

6. I have gone through the investigation papers made available by the learned APP as well as the F.I.R. No.332 of 2025 lodged earlier by the mother of the Applicant against the complainant Sukhdev M. Karche, who is the father of the victim girl.

7. This Court has protected the Applicant vide interim order dated 30th March, 2026. There are no allegations that the Applicant has violated any conditions of the said order or taking undue advantage of the interim bail granted by this Court.

8. Taking into consideration, the F.I.R. No.332 of 2025 filed by the Savita Shankar Bad (mother of the Applicant) against the complainant Sukhdev M. Karche on 27/09/2025, the false implication of the Applicant in the present F.I.R No.368 of 2025 lodged on 25/10/2025 cannot be ruled out at this stage.

9. However, the above observations are prima facie in nature and are made only for the purpose of deciding the present application. The trial Court shall not be influenced by the same.

10. Taking into consideration, the Applicant is not having any criminal antecedents. The apprehension of learned APP and learned counsel for Respondent No.2 can be taken care of by imposing stringent conditions. Hence, the following order :-

ORDER

I. The Application is allowed.

II. The interim order dated 30th March, 2026 passed by this Court, is hereby confirmed.

III. The Applicant shall attend the concerned police station on every Friday and Saturday between 11:00 a.m. to 1:00 p.m. till the filing of the charge-sheet, if any, against the Applicant.

IV. The Applicant shall not enter the jurisdiction of Natepute Police Station except on the dates as mentioned herein above, till filing of the charge-sheet.

V. The Applicant shall not threaten the complainant, daughter and victim or not to contact the victim.

VI. A single violation of the conditions would entitle the prosecution to seek cancellation of the bail.

11. The application is allowed and accordingly disposed of.

(MEHROZ K. PATHAN, J.)