

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

CRIMINAL APPELLATE JURISDICTION

CR. ANTICIPATORY BAIL APPLN. NO. 236 OF 2026

Maruti Dnyandev Kirve

... Applicant

**Versus**

State Of Maharashtra And Ors.

... Respondent

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*Mr. Jolly Bhutelo a/w. Mr. Pratik Bodekar, Mr. John Bhutelo & Mr. Suresh Patil for the Applicant.*

*Mr. Pankaj Deokar, A.P.P. for the Respondent Nos.1 & 3-State.*

*Mr. Harshvardhan Patil i/b. Ms. Isha Patil for the Respondent No.2.*

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**Coram :** MEHROZ K. PATHAN, J.

**Date :** 9<sup>th</sup> June 2026.

**PER COURT :**

**1.** The Applicant has approached this Court seeking anticipatory bail in connection with F.I.R. No. 0157 of 2026, dated 26/02/2026, registered with Karmala Police Station, District Solapur Rural, for the offences punishable under Section 75 of The Bharatiya Nyaya Sanhita, 2023, Section 8, 12 of The Protection of Children from Sexual Offences Act, 2012 and Section 75 of The Juvenile Justice (Care and Protection of Children) Act, 2015.

**2.** Learned counsel for the Applicant Mr. Jolly Bhutelo submits that the Applicant is falsely roped in the present crime due to rivalry between the Management of the two groups of the school, where the Applicant is a 'Teacher'. The Applicant is 55 years of old and is a reputed teacher, teaching English language in the school.

**3.** The present First Information Report is an outcome of the rivalry between the two groups of the Management. The complainant has thereafter filed an affidavit giving no objection to release the Applicant on bail. The Applicant is not having any criminal antecedents and is ready to abide by any conditions that may be imposed by this Court. Hence, the Applicant may be released on bail.

**4.** As against this, learned A.P.P. strongly opposed the anticipatory bail application on the ground that the Applicant is involved in serious offence of outraging the modesty of the minor victim girl aged 14 years. The stringent provisions of the POCSO of Sections 8 & 12 are also invoked in the present crime. The statement of the victim under Section 183 of BNSS clearly supports the allegations made in the First Information Report. The statement of the complainant is also recorded, wherein he has reiterated the allegations made in the F.I.R.. The offence is serious in nature. Hence, the custodial interrogation of the Applicant is required. The complainant himself has filed an application opposing the bail application before the learned Sessions

Court and relying upon such submissions, the learned trial Court has rightly rejected the anticipatory bail application. Hence, this Application may be rejected.

**5.** I have gone through the investigation papers made available by the learned A.P.P. I have also gone through the affidavit filed by the complainant dated 15/05/2026. The complainant - father of the minor victim girl, therein has specifically stated that the F.I.R. came to be lodged due to misunderstanding, misconception and circumstances prevailing at the relevant time and that he has no objection to grant anticipatory bail to the Applicant.

**6.** Be that as it may. Taking into consideration the nature of the allegations and the submissions made by the learned counsel for the Applicant that the F.I.R. is an outcome of rivalry between two groups of management, the possibility of false implication of the Applicant cannot be ruled out at this stage. However, these 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. The apprehension of the learned A.P.P. that the Applicant may tamper with the evidence, threaten the witnesses thereby causing prejudice to the prosecution case can be taken care of by imposing stringent conditions upon the Applicant. Hence, the following Order :-

**ORDER**

- i. In the event of arrest of the Applicant – Maruti Dnyandev Kirve, be released on bail on furnishing PR. Bond of Rs. 50,000/- (Rupees Fifty Thousand only) with one or two solvent sureties in the like amount, in connection with F.I.R. No. 0157 of 2026, dated 26/02/2026, registered with Karmala Police Station, District Solapur Rural, for the offences punishable under Section 75 of The Bharatiya Nyaya Sanhita, 2023, Section 8, 12 of The Protection of Children from Sexual Offences Act, 2012 and Section 75 of The Juvenile Justice (Care and Protection of Children) Act, 2015, on the following conditions :-
- (A) The Applicant shall attend the concerned Police Station and report to the Investigating Officer on every Friday and Saturday, between 11:00 a.m. to 01:00 p.m..
  - (B) The Applicant shall also cooperate with the investigation.
  - (C) The Applicant shall not pressurize the prosecution witnesses and shall not tamper with the prosecution evidence, in any manner.
  - (D) The Applicant shall submit his Aadhar Card and Pan Card to the Investigating Officer along with mobile numbers and addresses of two of his near relatives.
  - (E) The Applicant shall not enter village Jeur, Tal. Karmala, District Solapur, till the filing of supplementary charge-sheet, if any, against the present Applicant.

7. Needless to say, violation of any of the aforesaid conditions may entitle the prosecution to seek cancellation of the interim relief granted herein above.

8. The Application is disposed of in the aforesaid terms.

[ MEHROZ K. PATHAN, J. ]

OMKAR  
SHIVAHAR  
KUMBHAKARN

Digitally signed  
by OMKAR  
SHIVAHAR  
KUMBHAKARN  
Date:  
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