HEMANT CHANDERSEN SHIV
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# IN THE HIGH COURT OF JUDICATURE AT BOMBAY
# CRIMINAL APPELLATE JURISDICTION
# BAIL APPLICATION NO.1479 OF 2026

Talha Yusuf Pathan ...Applicant

*V/s.*

The State of Maharashtra & Anr. ...Respondents

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Ms. Afran Shaikh for the Applicant.
Ms. Veera Shinde, APP for Respondent No.1-State.
Ms. Pranali Kakade, Advocate appointed for Respondent No.2.
Mr. Suraj Irkale, PSI, Bandra police station present.

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**CORAM: SHYAM C. CHANDAK, J.**
**DATED : 15th OCTOBER 2026**

**P.C. :-**

**1.** Heard learned Counsel for the parties. Perused the record. Ms. Shinde, the learned APP tendered FSL report in respect of the seized mobile phone of the applicant, received from Bandra police station. It is taken on record and marked "X" Colly.

**2.** Present Application seeks release of the applicant on bail in connection with FIR bearing Cr.No.1864 of 2025, registered with Bandra police station, Mumbai for the offence punishable under Sections 74, 78, 79, 336(1), 336(2), 336(3), 356(2), 351(3) of the Bharatiya Nyaya Sanhita, 2023 ("BNS") and Sections 66(C), 66(D), 67, 72(A) of the Information Technology Act, 2000 and Sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012 ("POCSO Act") on the report dated 11th November 2025, filed against the applicant by Respondent No.2 (victim).

**3.** Ms.Shaikh, the learned Advocate for the applicant submitted that, there was a love relationship between the applicant and the victim. However, some dispute had occurred between them. Therefore, the victim filed a false case against the applicant. The

victim and her mother have no-objection to release the applicant on bail. Therefore, bail may be granted to the applicant.

4. Considering the submissions made by Ms.Shinde, learned APP, Ms.Kakade and the material on record, what transpired is that, in April 2024, the applicant came in contact with the victim through the online game 'Free Fire' and allegedly lured her into a love relationship. After establishing the said relationship, the applicant allegedly obtained the passwords of the victim's social media handles as well as her gmail account and, therefrom, secured access to her contacts. Thereafter, he allegedly threatened the victim to send her objectionable photographs and videos to him, otherwise, he would disclose their relationship to her contacts. Frightened by that threat, the victim shared her objectionable photographs and videos to the applicant. The applicant thereafter threatened the victim to meet him, otherwise, he would disseminate the photographs and videos. Therefore, victim got frightened and she met with the applicant at Bandra, where he had come from his native in Gujarat. In that meeting the applicant allegedly tried to kiss the victim, however, she refused him. Therefore, the applicant got annoyed and he sent her vulgar and abusive messages. He also threatened to make her objectionable photographs and videos viral.

As prosecution story goes further, on one more occasion the victim went to meet the applicant for settling the dispute between them. At that time also, the applicant tried to kiss her without consent. Consequently, the applicant created a fake Instagram Account in the name of the victim and, circulated her mobile number on the said account. As a result, the victim started receiving obscene messages from various persons.

5. The victim and her mother are present before the Court. They stated that they have no objection to release the applicant on bail.

But the victim has apprehension that after applicant's release on bail, he may repeat the said act.

6. In view of the above discussion, I am of the view that, there is a *prima facie* case against the applicant of having committed alleged crime and considering the apprehension expressed by the victim, the applicant is not entitled for bail.

7. As a result, the Bail Application is rejected.

8. It is clarified that any observation made in the present order are for the purpose of deciding the present Bail Application and should not influence the out come of the trial and also not be taken as an expression of opinion on the merits of the case.

9. The trial Court is requested to expedite the trial.

10. The applicant is given liberty to file fresh bail application before this Court if the trial is not concluded within six months from the date of this Order.

(SHYAM C. CHANDAK, J.)