HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.3793 OF 2026

Aayan Harun Shaikh .. Applicant

Versus

The State of Maharashtra and Anr. .. Respondents

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- Mr. Gaurav Dnyandeo Kakade, Advocates for Applicant.
- Ms. Shilpa G. Talhar, APP for Respondent No.1.
- PSI – Amit Patil, Bhigwan Police Station, Pune Rural.

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CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 07, 2026

P.C.:

1. Heard Mr. Kakade, learned Advocate for Applicant and Ms. Talhar, learned APP for Respondent.

2. This is an Application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking Bail in connection with C.R. No.36 of 2026 registered with Bhigwan Police Station, Pune Rural for offences punishable under Sections 137(2), 309(4) read with Section 3(5) of the Bharatiya Nyaya Sanhita, 2023 and subsequently Sections 64(2)(i)(m), 74, 75(2) and 351(2) of the Bharatiya Nyaya Sanhita, 2023 and Sections 4, 6, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012.

3. The Applicant before me is arraigned as Accused No.2. In the present case, there are two accused persons. The principal Accused,

Accused No.1, has already been released on bail. Accused No. 1's case has been considered by this Court for releasing prsent Applicant on bail. Copy of the order dated 05.10.2026 is placed before me by Mr. Kakade. However, admittedly, the victim has recorded her statement wherein she has stated that the relationship between her family and the family of Accused No.1 was extremely cordial and in fact her brother is the best friend of accused No.1 and they both had a very good relationship.

4. She has also stated in her statement recorded under Section 164 that she was having a love affair with Accused No. 1 and was also going to marry him. It is significant to note that 8 statements of the victim have been recorded wherein there is no *prima facie* allegation made against the Accused No.2.

5. Mr. Kakade's case is therefore clearly covered by the observations made by this Court while granting anticipatory bail to the Accused No.4 another co-accused person in the present case who has been indicted by the Complainant vide order dated 24.08.2026.

6. Considering the aforesaid, Applicant is released on bail subject to following conditions:-

(i) Applicant is directed to be immediately released from prison in connection with Crime No.36 of 2026;

(ii) Applicant is directed to be released on bail on furnishing P.R. Bond of Rs. 10,000/- (Rs. Ten Thousand only) with one or two surety / sureties of the like amount;

(iii) Applicant shall report to the Investigating Officer at the concerned Police Station, once every month on the first Monday of the month between 10:00 a.m. to 12:00 p.m.;

(iv) Applicant shall co-operate with the conduct of trial and attend the Trial Court on all dates, unless specifically exempted and will not take any unnecessary adjournments, if he does so it will entitle the prosecution to apply for revocation of this order;

(v) Applicant shall not leave the State of Maharashtra without prior permission of the Trial Court;

(vi) Applicant shall not influence any of the witnesses or tamper with the evidence in any manner;

(vii) Applicant shall keep the Investigating Officer informed of his current address and mobile contact number and / or change of residence or mobile details, if any, from time to time, as applicable; and

(viii) Any infraction of the conditions shall entail cancellation of bail granted to the Applicant.

7. It is clarified that the observations made in this order are limited for the purpose of granting Bail only and I have not made any observations on merits of the case. The trial shall be adjudicated on the strength of the evidence led and strictly on its own merits being uninfluenced with any of the *prima facie* observations made hereinabove in this order.

8. Bail Application is allowed and disposed of in the above terms.

H. H. SAWANT

[MILIND N. JADHAV, J.]

HARSHADA HANUMANT SAWANT

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