

N.S.Kamble

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

CRIMINAL BAIL APPLICATION NO. 177 OF 2025

Prasad Ashok Muthal

... Applicant

Versus

The State Of Maharashtra And Anr

... Respondents

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Mr.Chetan H. Deshmukh, for the Applicant.
Mr.B.B. Kulkarni, APP for Respondent-State.
Mr.P.S. Potdar, for Respondent No.2.

CORAM : SHIVKUMAR DIGE, J.

DATE : 21st JANUARY 2026

P.C. :

1. By this Application, Applicant is seeking regular bail in Crime No.72 of 2024 registered with Sinnar Police Station, Nashik, for the offences punishable under Sections 363, 366 and 376(2)(j)(n) of the Indian Penal Code, 1860 ('IPC' for short) and Sections 4 and 6 of the Protection of Children from Sexual Offences Act, 2012 ('POCSO' for short).

2. It is prosecution case that the Applicant kidnapped minor daughter of the First Informant.

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3. It is contention of learned counsel for the Applicant that earlier FIR was lodged against the Applicant by the present Informant. In present case it is alleged that the Applicant had kidnapped victim, at the time of incident victim was 17 years old. She herself had gone with the Applicant. In earlier FIR allegations against the Applicant were made of kidnapping and sexual assault on victim. The Applicant is behind bars for more than 15 months. There is no progress in trial. It may take time to conclude the trial and requested to allow the Application.

4. It is contention of learned APP along with learned counsel for the Respondent No.2 that the Applicant kidnapped minor daughter of the First Informant. He was aware about her age. If Applicant released on bail, he may abscond or threaten victim, First Informant and prosecution witnesses, and requested to reject the Application.

5. I have heard all learned counsel. Perused charge-sheet and documents produced on record.

6. It appears from record that earlier FIR was lodged against the Applicant alleging that he kidnapped victim and sexually assaulted her. In the said crime the Applicant has been released on bail. After first FIR

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the present FIR registered against the Applicant alleging that he kidnapped the victim. The police has recorded the statement of the victim, in the said statement she has stated that she herself gone to Pune, so it does not show that the Applicant kidnapped victim. The victim was 17 years old. The Applicant is behind bars for more than 15 months. There is no progress in the trial. It may take time to conclude the trial.

7. Considering these facts, I pass following order.

ORDER

- (i) The Applicant-Prasad Ashok Muthal be released on bail in Crime No.72 of 2024 registered with Sinnar Police Station, Nashik, on furnishing PR bond of Rs.25,000/- with one or two solvent sureties in the like amount.
- (ii) The Applicant shall not tamper with the evidence and/or influence the prosecution witnesses.
- (iii) The Trial Court shall decide the case on its own merits and in accordance with law, uninfluenced by the observations made in this order.

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- (iv) The Applicant shall attend the concerned Police Station as and when required.
- (v) Application is allowed in the aforesaid terms.

(SHIVKUMAR DIGE, J.)