

N.S.Kamble

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

CRIMINAL BAIL APPLICATION NO. 1061 OF 2025

Bhagwan Jalindar Naiykar

... Applicant

Versus

State Of Maharashtra And Anr

... Respondents

**NILAM
SANTOSH
KAMBLE**
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Mr.Mithilesh Mishra a/w Namasi, for the Applicant.

Ms.R.D. Humane, APP for Respondent-State.

Mr.Vaibhav Ugale a/w Mr.Aditya Shinde, Mr.Shubham Dasvant,
Mr.Prashant Mahajan, for the Intervenor.

Mr.S.V. Jadhav, PSI, Alankar Police Station, Pune.

CORAM : SHIVKUMAR DIGE, J.

DATE : 21st JANUARY 2026

P.C.:

. By this Application, the Applicant is seeking regular bail in Crime No. 163 of 2023 registered with Alankar Police Station, Pune, for the offences punishable under Sections 376(2)(n) of the Indian Penal Code, 1860 ('IPC' for short) and Sections 4,6 and 8 the Protection of Children from Sexual Offences Act, 2012 ('POCSO' for short).

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2. It is prosecution's case that the Applicant by threatening First Informant, sexually assaulted her on various occasions, she got pregnant due to said sexual assaults.

3. It is contention of learned counsel for the Applicant that at the time of the incident victim was 16 years old. There is delay in lodging the FIR. The FIR was lodged when the victim became 27 weeks pregnant. The Applicant is behind bars for more than six months. There is no progress in trial. The Applicant has no antecedent 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 was 35 years old married person. He sexually assaulted the victim by threatening her and impregnated her. If Applicant released on bail, he may abscond or threaten victim and prosecution witnesses. Charge is framed against the Applicant and requested to reject the Application.

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

6. There is delay in lodging the complaint it was filed when First Informant became 27 weeks pregnant. At the time of the

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incident, the victim was 16 years old. The Applicant is behind bars for more than six months. There is no progress in trial. The Applicant has no antecedents. It may take time to conclude the trial.

7. Considering these facts, I pass following order.

ORDER

- (i) The Applicant-Bhagwan Jalindar Naiykar, be released on bail in Crime No. 163 of 2023 registered with Alankar Police Station, Pune,, on furnishing PR bond of Rs.25,000/- with one or two solvent sureties in the like amount.
- (ii) The Applicant shall not enter in the jurisdiction of the Alankar Police Station till recording of the evidence of the victim, except attending Court dates.
- (iii) The Applicant shall not tamper with the evidence and/or influence the prosecution witnesses.
- (iv) 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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- (v) The Applicant shall attend the concerned Police Station as and when required.
- (vi) Application is allowed in the aforesaid terms.

(SHIVKUMAR DIGE, J.)