

Shubhada S Kadam

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 1975 OF 2025

Mandar Chandrahas KhadilkarApplicant

versus

The State of Maharashtra and anr.Respondents

Ms. Falguni Brahbhatt along with Mr. Abdul Kader Lokhandwala, Advocate for the Applicant.

Mr. M. G. Patil, APP for Respondent-State.

Mr. Vivek N. Arote, Advocate for Respondent No.2 (Appointed Advocate).

CORAM : SHIVKUMAR DIGE, J.

DATE : 3rd FEBRUARY, 2026.

P.C. :

1. By this application, the applicant is seeking regular bail in Crime No. 228 of 2023 registered with Kamothe Police Station, District Raigad, for the offences punishable under Sections 354-B, 376, 376(2)(f) of the Indian Penal Code 1860 and Sections 4, 5(n), 6, 8 and 12 of Protection of Children from Sexual Offences Act, 2012.

2. It is prosecution's case that on 17th August 2023, the applicant outraged the modesty of his minor step-daughter by touching her inappropriately and inserting his finger into her private part.

3. It is contention of learned counsel for the applicant that the applicant has been falsely implicated in this case due to dispute between him and the mother of the first informant. At the time of the incident, the

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victim was more than 16 years old. The medical report does not indicate any penetrative sex. The applicant is behind bars for almost 2 ½ years. There is no progress in the trial and requested to allow the application.

4. It is contention of the learned APP that the applicant is the stepfather of the first informant and t he outraged the modesty of the first informant by touching her inappropriately and inserting his finger into her private part. At the time of the incident, the victim was 16 years old. If the applicant is released on bail, he may threaten the first informant and the prosecution witnesses and requested to reject the application.

5. I have heard both learned counsel and perused the charge-sheet and documents produced on record. At the time of the incident, the victim was more than 16 years old. The medical report does not indicate any penetrative act. The applicant has been behind bars for almost 2 ½ years. There is no progress in the trial. Considering these facts, I pass the following order.

ORDER

- (i) The applicant be enlarged on bail in Crime No. 228 of 2023 registered with Kamothe Police Station, District Raigad, on executing P.R.Bond in the sum of Rs.30,000/- with one or two sureties in the like amount.

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- (ii) The applicant shall attend the concerned police station as and when required.
- (iii) The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

The application is allowed in the aforesaid terms and is accordingly disposed of.

6. It is made clear that the above observations are made only for the purpose of granting bail and the Trial Court shall decide the case on its own merits in accordance with law and uninfluenced by the observations made in this order.

7. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)