

S.S.Kilaje

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

CRIMINAL BAIL APPLICATION NO. 2511 OF 2025

Rushikesh Bapu Dalimbe

... Applicant

Versus

The State of Maharashtra & Anr.

... Respondents

Mr. Pranav Bhoite a/w. Mr. Pratik H. Dalimbe, Advocates for the Applicant.

Mr. Arfan Sait, APP for Respondent-State.

Mr. Zakir Hussain, Advocate for Respondent No.2.

GPSI – B. J. Jadhav, Daund Police Station, Pune Rural is present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 6th JANUARY, 2026.

P.C. :

1. By this Application, the Applicant is seeking regular bail in C.R.No. 514 of 2024 registered with Daund Police Station for the offence punishable under Section 137 (2), 74, 64 of Bharatiya Nyaya Sanhita, 2023 (for short “BNS Act”) and Sections 4, 8 and 12 of Protection of Children from Sexual Offences Act, 2012 (for short “POCSO Act”).

2. It is prosecution’s case that on 09.07.2024, the Applicant

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kidnapped minor daughter of first informant and sexually assaulted her.

3. It is contention of learned counsel for the Applicant that at the time of incident, the victim was 17 years old. She herself called the Applicant and went with him. Initially, FIR was lodged for outraging modesty of the victim and after two days offence of sexual assault was registered against the Applicant. The Applicant is behind bar for more than 14 months. There is no progress in the trial and requested to allow the application.

3. It is contention of learned APP with learned counsel for respondent No.2 that Applicant kidnapped minor daughter of the first informant and sexually assaulted her. The Applicant was married and he was aware of the age of the victim. If Applicant is released on bail, he may threaten prosecution witnesses and requested to reject the application.

4. I have heard all learned Counsel. Perused FIR and documents produced on record. It appears from the record that at the time of incident, the victim was 17 years old. Initially, FIR for outraging modesty of the victim was registered. After two days in supplementary statement of the victim allegations of sexual assault were made. He is behind bar for more than one year. There is no progress in the trial. Considering these facts, I pass following order.

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ORDER

- i. The Applicant be released on bail in C.R.No. 514 of 2024 registered with Daund Police Station, on executing P.R.Bond of Rs. 30,000/- on furnishing one or two sureties in the like amount.
 - ii. The Applicant shall attend the concerned Police Station as and when required.
 - iii. The Applicant shall not contact the victim and prosecution witnesses.
 - iv. The Trial Court shall not be influenced by the observations made in this order and shall decide the matter on its own merits and in accordance with law.
6. The Bail Application is allowed in the aforesaid terms and is accordingly disposed of.
7. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)

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