

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 2860 OF 2025

Umesh Govind Ravate	...Applicant
<i>Versus</i>	
The State of Maharashtra And Anr.	...Respondents

Mr. Satyendra Dubey, for the Applicant.
Mr. Mayur Sonawane, APP, for the Respondent - State.
Ms. Chaitrali Deshmukh, Appointed through Legal Aid, for the
Respondent No.2.
PSI -Belkar, Vikramgad Police Station, is present.

CORAM: R. M. JOSHI, J.

DATED: 23rd APRIL, 2026

PC:-

1. By this Application, the Applicant seeks enlargement on bail in connection with Crime No. 192 of 2024 registered with Vikramgarh Police Station, Dist. Palghar, for the offences punishable under Section 137(2), 64, 64(2)(m) of Bhartiya Nyaya Sanitha (in short, 'BNS') and under Sections 4, 6, and 17 of Protection of Children from Sexual Offences Act. (for short, 'POCSO Act').

2. It is alleged that on 26th July 2024, at around 12:20 p.m., after the college dispersed, the victim Sheetal (17 years 3 months), who usually reached home by 1:00 p.m., failed to return.

Upon enquiry with her friend Miss Manali Baburao Chimda, the complainant was informed that victim's brother-in-law, Umesh Govind Rawat (present accused) had come to the college in a car and taken the victim with him. During the investigation, the statements of the victim's father and her brother were recorded, who also confirmed that the accused was last seen picking up the girl, and upon being contacted, the accused denied any involvement. Miss Manali Baburao Chimda, the minor friend of the victim, gave a detailed statement to the police confirming that on 26/07/2024, the accused had called out to the victim Sheetal from his vehicle outside the college. When Sheetal approached the vehicle, she got in, and the car drove off with the accused inside. Further, the police have conducted investigation, recorded statements of multiple witnesses including the victim's parents and friends and have recovered and verified the school leaving certificate of the victim and conducted the spot panchnama at the place of incident. Thereafter upon return of the victim on 15th August 2024, it was revealed by her in her statement that she had been forcibly taken into the vehicle by the accused, and then sexually assaulted. After completing the investigation police have filed the chargesheet in the present case.

3. Learned counsel for the Applicant submits that this is a case of false implication, the alleged incident of victim going missing occurred on 26th July 2024 however the FIR came to be registered on 13th August 2024 and subsequently the victim was brought back by her cousin sister. He drew attention of the court to the

statement of the victim to show that there is inconsistency in the statements of victim recorded under Sections 180 recorded by Police and 183 of BNSS before the Learned Magistrate.

4. Learned Counsel for the Respondent No.2 opposed the Application.

5. Learned APP points out the seriousness of the crime and strenuously opposed the Application contending that the Applicant was a minor at the time of incident and her testimony is consistent. He further states that delay in lodging the FIR cannot be a ground for enlarging the Applicant on bail. He drew attention of the court to the FIR showing that delay occurred due to the reason that the accused was the relative of the victim and after several attempts to contact the accused he did not answer the calls and hence the complainant contacted the cousin sister of the victim i.e. wife of the accused to send the victim back to her home.

6. There cannot be any dispute with regards to settled position of law that statement of a minor, if found to be consistent and of sterling quality can become sole basis for not granting bail. Perusal of record indicate that there is an inconsistency in the statement given by the victim to police and statement recorded before the learned magistrate with respect to the presence of the cousin sister Shilpa of the victim while the alleged act was committed. In her statement before the Police the victim state that the cousin sister

was sleeping while the alleged act was committed contradicting the same, she makes a statement before Ld. Magistrate that on the say of her cousin sister the alleged act was committed on her in her presence.

7. Further perusal of record indicate that the medical evidence does not show injuries and does not establish that the alleged act was committed on the victim. Suffice it to say that *prima facie* there is evidence on record to show the inconsistency in statements given by the victim so also in the absence of medical evidence the accused needs to be given the benefit of doubt. Therefore, this is a fit case for enlarging the applicant on bail.

8. Hence, following order :-

ORDER

- i) Criminal Bail Application stands allowed in connection with Crime No. 192 of 2024 registered with Vikramgarh Police Station, Dist. Palghar for the offences punishable under Section 137(2), 64, 64(2)(m) of Bhartiya Nyaya Sanitha and under Sections 4, 6, and 17 of Protection of Children from Sexual Offences Act.
- ii) The Applicant be enlarged on bail, on furnishing P. R. Bond of Rs.15,000/- (Rupees Fifteen Thousand only) with one or two sureties in the like amount, to the satisfaction of the Trial Court.

- iii) The Applicant is directed not to enter the jurisdiction of Vikramgad Police Station, Dist. Palghar, till conclusion of trial.
- iv) The Applicant is directed to attend all dates of hearing before the Trial Court, unless exempted by specific order.
- v) Any breach of the aforestated condition shall result forthwith into cancellation of bail.

9. In view of the above, Application stands allowed and disposed of accordingly.

10. It is clarified that the above observations are made on *prima facie* consideration of the material on record and the same shall not bind the parties during the final hearing of the Trial Case.

(R. M. JOSHI, J.)

VDMokal/-