

N.S.Kamble

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 2909 OF 2025

Pavan Bhimrao Chere

... Applicant

Versus

The State of Maharashtra & Anr.

... Respondents

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Mr.Kunal Aher, for the Applicant.

Mr.P.P. Jadhav, APP for Respondent-State.

Ms.Deepti Chand, for Respondent No.2.

CORAM : SHIVKUMAR DIGE, J.

DATE : 4th FEBRUARY 2026

P.C. :

. By this Application, the Applicant is seeking regular bail in Crime No.873 of 2024 registered with Bharati Vidhyapeeth Police Station, Pune, for the offences punishable under Sections 137(2), 65(1) of the Bharatiya Nyaya Sanhita, 2023 ('BNS' for short) and Sections 4,8 and 12 of the Protection of Children from Sexual Offences Act, 2012 ('POCSO' for short).

2. It is prosecution's case that on 20th October 2024, the Applicant kidnapped minor daughter of the First Informant and sexually assaulted her by threatening her.

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3. It is contention of learned counsel for the Applicant that there was love affair between the Applicant and victim. The victim herself had gone with the Applicant to his village. During that period, she did not make hue and cry. She stayed with the Applicant. At the time of the incident, the Applicant was 25 years old. He has no antecedents. It may take time to conclude the trial. The Applicant is behind bars for more than one year and three months. There is no progress in trial, and requested to allow the Application.

4. It is contention of learned APP along with learned counsel for Respondent No.2 that at the time of the incident, victim was 13 years old. The Applicant kidnapped her and sexually assaulted her. The medical evidence supports the prosecution case. If the Applicant released on bail, he may abscond or threaten victim 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. In the statement of the victim, she has stated that she had acquitenace acquainted with the Applicant and had friendship with him. It appears that the victim had gone with the Applicant to his village and stayed with him. The Applicant is behind bars for more than one year and three

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months, and he has no antecedents. There is no progress in trial. It may take time to conclude the trial.

7. Considering these facts, I pass following order.

ORDER

- (i) The Applicant-Pavan Bhimrao Chere be released on bail in Crime No.873 of 2024 registered with Bharati Vidhyapeeth 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 Bharati Vidhyapeeth Police Station, Pune, till recording of evidence of 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.
- (v) The Applicant shall attend the concerned Police Station as and when required.
- (vi) Application is allowed in the aforesaid terms.

(SHIVKUMAR DIGE, J.)