

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 3018 OF 2025

Rajratan Sadashiv Waywal	...Applicant
<i>Versus</i>	
The State of Maharashtra And Anr.	...Respondents

Mr. Satyavrat Joshi a/w Mr. Priyesh More, for the Applicant.

Mr. Rishikesh M. Pethe, APP, for the Respondent – State.

Ms. Vilasini Balasubramanian, Appointed through Legal Aid, for
the Respondent No.2.

PSI – Saiprasad R. Pawar, Arnala Sagari Police Station, is present.

CORAM: R. M. JOSHI, J.

DATED: 17th APRIL, 2026

PC:-

1. Applicant seeks bail in connection with Crime No. 10 of 2024 registered with Arnala Sagari Police Station, Dist. Palghar for the offences punishable under Sections 64 (2) (m), 64 (k), 115(2) of Bhartiya Nyaya Sanhita, 2023 (for short, “BNS”).

2. In short, it is a case of the prosecution that the present Applicant sexually abused informant who is a schizophrenic patient. On the basis of said the information, offence came to be registered against him. On conclusion of investigation, chargesheet is filed.

3. The informant has recorded no objection for grant of bail to the Applicant. An affidavit is filed to that effect on the last date of hearing. Since the record indicates that the informant is a schizophrenic patient, this Court has called upon the certificate from the doctor indicating her state of mind capable of recording no objection for grant of bail.

4. Today learned Counsel for Respondent No.2 has placed on record certificate issued by Dr. Smitha Vawani, M.D. (Psychiatry) indicating that the Respondent No.2 is a case of Chronic Schizophrenia and she was on treatment earlier. It is further certified that at present she is not on any medicines and shows no psychiatric symptoms. This certificate shows that Respondent No.2 is in a position to validly record consent for grant of bail.

5. Having regard to the aforesaid fact, application stands allowed. Hence, following order :-

ORDER

- i) Criminal Bail Application stands allowed in connection with Crime No. 10 of 2024 registered with Arnala Sagari Police Station, Dist. Palghar for the offences punishable under Sections 64 (2) (m), 64(k), 115(2) of Bhartiya Nyaya Sanhita, 2023.
- ii) The Applicant be enlarged on bail, on furnishing P. R. Bond of Rs.15,000/- with one surety in the like amount, to the satisfaction of the Trial Court.

- iii) The Applicant not to interfere in the evidence of prosecution, in any manner, whatsoever.
- iv) The Applicant 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.

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

7. 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/-