

Shubhada S Kadam

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.3125 of 2025**

Balaji Suryakant Shirsat

... Applicant/s

Versus

The State of Maharashtra and anr.

... Respondent/s

Mr. Vivek Arote along with Mr. Akshay Dingale, Advocate for the Applicant.

Mr. S. S. Pednekar, APP for Respondent No.1-State.

PSI-Prasad Jadhav, Kondhwa Police Station, present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 20th JANUARY, 2026.

P.C. :

1. By this application, the applicant is seeking regular bail in Crime No. 756 of 2024 registered with Kondhwa Police Station, District Pune, for the offences punishable under Sections 363, 366-A and 376 of the Indian Penal Code 1860 and Sections 4, 8 and 12 of Protection of Children from Sexual Offences Act, 2012.

2. It is prosecution's case that the applicant kidnapped the minor daughter of the first informant and sexually assaulted her. It is contention of learned counsel for the applicant that at the time of the incident the victim was more than 16 years 7 months old. There was a love affair between the applicant and the victim. They stayed together for several

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days, but she did not complain to anyone. The applicant is behind bars for one year and four months. There is no progress in the trial. The applicant has no antecedents and requested to allow the application.

3. It is contention of learned APP that the applicant kidnapped the minor daughter of the first informant, and the applicant was aware about the age of the victim. If the applicant is released on bail, he may threaten the victim and the prosecution witnesses and requested to reject the application.

4. I have heard both learned counsel, perused the charge-sheet and documents produced on record. At the time of the incident, the victim was 16 years 7 months old. It appears from her statement that she had gone with the applicant to several places. She did not make any hue and cry when she was with the applicant. The applicant is behind bars for more than one year and four months. There is no progress in the trial. The applicant has no antecedents. Considering these facts, I pass the following order:

ORDER

- (i) The applicant be enlarged on bail in Crime No. 756 of 2024 registered with Kondhwa Police Station, District Pune, on executing P.R.Bond in the sum of Rs.30,000/- with one or two sureties in the like amount.

Shubhada S Kadam

(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.

5. 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.

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

(SHIVKUMAR DIGE, J.)