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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.3364 OF 2025

Ramrathi Bhawant Yadav ...Applicant
V/s.
The State of Maharashtra & Anr. ...Respondents

Mr. Ganesh Bhujbal (Appointed Advocate), for the Applicant.
Mr. H.J. Dedhia, APP for the Respondent No.1-State.
Ms. Samiksha Pawar (Appointed Advocate), for the Respondent No.2.
PSI – Lakman K. Ghodu, Boisar Police Station, Palghar, present.

CORAM : SHYAM C. CHANDAK, J.
DATED : 15th JUNE, 2026

P.C. :-

. Present Application received from jail, seeking release of the Applicant on bail in connection with F.I.R. bearing C.R. No.232 of 2020 registered with Boisar Police Station, Palghar for the offences punishable under Section 376 of the Indian Penal Code, 1860 and Sections 3, 4, 5(i) and 8 of the Protection of Children From Sexual Offences Act, 2012.

2) Heard Mr.Bhujbal, learned appointed Counsel for the Applicant, Mr. Dedhia, learned APP for Respondent No.1-State and Ms.Pawar, learned appointed Counsel for Respondent No.2. Perused the record.

3) The prosecution case is that on 16th June 2020, at about 7:00 p.m., the Applicant called the victim girl, aged 8 years, at his residence on the pretext to play ludo. Further, the Applicant committed penetrative sexual assault on the victim. Therefore, mother of the victim filed a report, based on which aforesaid crime came to be registered. The Applicant came to be arrested. On completion of the investigation, charge-sheet came to be filed.

4) Mr.Bhujbal, learned appointed Counsel for the Applicant submitted that the victim and her mother have not supported the

prosecution case. The Applicant is behind bars for last six years. Yet, the trial has not been concluded. Therefore, the Applicant is entitled for bail.

5) Mr. Dedhia, learned APP for Respondent No.1-State and Ms. Pawar, learned appointed Counsel for the Respondent No.2 have submitted that there is sufficient material against the Applicant which shows that the Applicant has committed this crime.

6) I have considered these submissions. Although, the victim and her mother have not supported the prosecution case, the medical evidence supported the narration in the report, statement of victim before police, her statement under Section 164 of Cr.P.C. and statement of the witnesses. In particular, the medical certificate recorded that, the hymen of the victim was torn and she was bleeding. Mr.Dedhia, learned APP submits that the DNA report also supports the prosecution case. In view thereof, there is a *prima facie* case against the Applicant.

7) Mr. Dedhia, learned APP submits that the prosecution is going to examine five more witnesses and conclude the trial within next six months. The case before the trial Court is fixed on 25th June, 2026.

8) In view thereof, the Applicant is not entitled for bail.

9) As a result, Application stands rejected and disposed of.

10) Considering the facts of the case and the trial is part heard, the prosecution is directed to conclude the examination of the remaining witnesses and complete the trial within six months from 25th June, 2026.

11) It is clarified that the observations made hereinabove may not be construed as an expression of opinion on the guilt or otherwise of the Applicant and the trial Court shall not be influenced by any of the observations made hereinabove.

(SHYAM C. CHANDAK, J.)