

Shubhada S Kadam

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 3514 OF 2025**

Mahavir Ramawtar Thakur

...Applicant

Versus

The State Of Maharashtra and anr.

...Respondents

Ms. Saloni Sarguru i/b. Mr. Sachin Salunkhe, Advocate for Applicant.

Mr. Prashant P. Jadhav, APP for Respondent No.1-State.

Ms. Grishma Parab, Advocate for Respondent No.2(through VC).

PSI-Sandip Khedkar, Bund Garden Police Station, Pune, present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 11th FEBRUARY, 2026.

P.C. :

1. By this application, the applicant is seeking regular bail in Crime No. 411 of 2019 registered with Bund Garden Police Station, District Pune, for the offences punishable under Sections 363 and 376 of the Indian Penal Code 1860 and Sections 4, 7 and 8 of Protection of Children from Sexual Offences Act, 2012.

2. It is prosecution's case that on 6th November 2019, the applicant kidnapped the daughter of the first informant who was minor and sexually assaulted her by taking her to Gujarat and impregnated her.

3. It is contention of learned counsel for the applicant that applicant is behind bars for more than six years, there is no progress in the trial. At the time of the incident, the victim was more than 17 years old.

SHUBHADA
SHANKAR
KADAM
Digitally
signed by
SHUBHADA
SHANKAR
KADAM
Date:
2026.02.13
11:06:30
+0530

Shubhada S Kadam

There was love affair between the victim and applicant and the victim voluntarily went with applicant . Hence, requested to allow the application.

4. It is contention of learned APP along with learned counsel for respondent No.2 that the applicant was aware about the age of the victim. He kidnapped her and took her to Gujarat and sexually assaulted her. The victim has delivered a child. The DNA of the child shows that the applicant is the biological father of the child. The applicant at the time of the incident was married and having a child. If the applicant is released on bail, he may abscond or threaten the prosecution witnesses. Hence, requested to reject the application.

5. I've heard all learned counsel, perused charge-sheet and documents produced on record. At the time of the incident, the victim was more than 17 years old. It appears that she traveled with the applicant to Gujarat and stayed with him but she did not make any hue and cry then. The applicant is behind bars for more than six years. There is no progress in the trial. The applicant has no antecedents. Considering these facts, I pass following order :

ORDER

- (i) The applicant be enlarged on bail in Crime No. 411 of 2019 registered with Bund Garden Police Station, District Pune, on

Shubhada S Kadam

executing P.R.Bond in the sum of Rs.30,000/- with one or two sureties in the like amount.

(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.

6. 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.

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

(SHIVKUMAR DIGE, J.)