

N.S.Kamble

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 3603 OF 2025

Ajay Virendra Tak

... Applicant

Versus

The State Of Maharashtra & Anr.

... Respondents

Ms.Sana Raees Khan a/w Mr.Harsh Shah, Ms.Neha Balani, Ms.Palak Kasliwal, for the Applicant.

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

Ms.Dhruti Kapadia, for Respondent No.2(Appointed Advocate)

Ms.Madhumati Shinde, API, Pimpri Police Station.

CORAM : SHIVKUMAR DIGE, J.

DATE : 17th JANUARY, 2026

P.C.:

. By this Application, Applicant is seeking regular bail in Crime No.305 of 2021 registered with Pimpri Police Station, Pune, for the offences punishable under Sections 377, 363, 343, 289, 323, 324, 504, 506, 143, 145 and 149 of the Indian Penal Code, 1860 ('IPC' for short), Sections 4 and 8 of the Protection of Children from Sexual Offences Act, 2012 ('POCSO' for short).

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2. It is prosecution's case that, the Applicant and co-accused sexually assaulted the son of the First Informant.

3. It is contention of learned counsel for the Applicant that the main allegations are against the co-accused. The allegations against the Applicant are that he along with co-accused recorded the incident in their mobile phone. The co-accused having similar allegations has been released on bail by this Court. Hence, the Applicant is entitled for bail on principle of parity and requested to allow the Application.

4. It is contention of learned APP along with learned counsel for the Respondent No.2 that the Applicant was part of group which sexually assaulted First Informant's minor son. The Applicant recorded the incident in his mobile. The victim was threatened by the Accused that they stay in the same area, if complaint is filed the recording would be made viral. It shows involvement of the Applicant in the crime. If Applicant released on bail, he may abscond or threaten victim and prosecution witnesses. Hence, requested to reject the Application.

5. I have heard all learned counsel. Perused charge-sheet and documents produced on record.

6. The co-accused Kapil Tak having similar allegations has been

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released on bail by this Court (Coram : Anil Kilor, J.). The allegations against the co-accused and present Applicant are similar. Considering these facts, the Applicant is entitled for bail on principle of parity and I pass following order.

ORDER

- (i) The Applicant-Ajay Virendra Tak be released on bail in Crime No.305 of 2021 registered with Pimpri 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 tamper with the evidence and/or influence the prosecution witnesses.
- (iii) The Trial Court shall decide the case on its own merits and in accordance with law, uninfluenced by the observations made in this order.
- (iv) The Applicant shall attend concerned Police Station as and when required.
- (v) Application is allowed in the aforesaid terms.

(SHIVKUMAR DIGE, J.)