

Ajit Pathrikar

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 3697 OF 2025**

Surendra Pandurang Patil	...Applicant
Versus	
State Of Maharashtra And Anr.	...Respondents

Mr. Rushikesh Kale, *for the Applicant.*
Ms. Anuja S. Gotad, *APP for the State-Respondent.*
Ms. Reena Prajapati, *for Respondent No.2.*
API – Eknath Paulbadhe, *Manpada Police Station, is present.*

CORAM DR. NEELA GOKHALE, J.
DATED: 05th JANUARY 2026

PC:-

1. The Applicant seeks his release on bail in connection with C.R. No. 341 dated 1st April 2025 registered with the Manpada Police Station, Thane City, for the offences punishable under Sections 64, 74, 115(2), 351(2) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 ('BNS') and Sections 3 and 25 of the Arms Act, 1959.

2. At the very outset, Ms. Reena Prajapati, learned Advocate appointed to represent Respondent No.2, has submitted that she has instructions from the Respondent No.2 to give her no objection to the grant of bail to the Applicant. The Applicant is 52 years old and the victim is only 19 years old. However, the Court is not inclined to accept the request of Respondent No.2 regarding the grant of bail to the Applicant. I have proceeded to hear the matter on merits.

3. Mr. Rushikesh Kale, learned Counsel for the Applicant, submits that the relationship between the parties was consensual. He has tendered some WhatsApp chats and photographs showing the Applicant and the victim in an intimate position. The same is taken on record and marked as 'X' for identification.

4. I have gone through the WhatsApp chats as well as the photographs. The photographs demonstrate the relationship between the parties. The Investigating Officer is present in Court and submits that the Applicant has destroyed the CCTV

footage from the room in which the alleged incident was committed and hence, he is unable to recover the evidence in that regard from the said CCTV camera. However, the Investigating Officer, through Ms. Anuja Gotad, learned APP has tendered certain photographs on record, which clearly show the Applicant and the victim in a compromised position. These photographs were used to threaten the prosecutrix, as per the contents of the FIR.

5. Be that as it may, at this stage, I deem it appropriate to request the Trial Court to frame charges and record the statement of the victim at the earliest and preferably within a period of two months from the date on which the present order is communicated to the Trial Court.

6. Stand over to 5th March 2026.

(Dr. Neela Gokhale, J)