

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 3755 OF 2025

Vilas Rajaram Dawande	...Applicant
<i>Versus</i>	
The State of Maharashtra And Anr.	...Respondents

Mr. Akash Sarode a/w Mr. Amol M. Thombare, for the Applicant.

Mr. S. S. Ghag, APP, for the Respondent – State.

Ms. Keral Mehta, Appointed through Legal Aid, for the Respondent No.2.

PSI Tukaram V. Mengal , Aarey Police Station, Mumbai, is present.

CORAM: R. M. JOSHI, J.

DATED: 18th APRIL, 2026

PC:-

1. Applicant seeks bail in connection with Crime No. 10 of 2024 registered with Aarey Police Station, Mumbai for the offences punishable under Sections 354, 377, 506 of the Indian Penal Code, 1860 (for short, “IPC”) and Section 8 and 12 of the Protection of Children from Sexual Offences Act, 2012 (for short, “POCSO”).

2. First informant is wife of the Applicant. She made allegations against him that the Applicant sexually abused his minor daughter. The allegations are made in respect of incident occurred on 10th January 2024. Similarly it is claimed that even a year prior thereto she was sexually abused. Victim was sent for

medical examination. Her statement was recorded by police. On conclusion of investigation, chargesheet is filed.

3. Learned Counsel for the Applicant submits that this is a case of false implication owing to the disputes between husband and wife. It is his submission that the First Information Report and the statement of the victim are inconsistent. He drew attention of the Court to the medical report indicating that it does not support the allegations against the Applicant. He seeks bail on the ground that the trial is not likely to get over in a short period of time.

4. Learned APP and Counsel for the Respondent No.2 opposed the application by citing seriousness of the crime. It is their contentions that statement of victim ordinarily would be sufficient to convict an accused. It is their submission that the consistent statement is made by the Medical Officer while recording history. On these amongst other contentions they seek rejection of the application.

5. *Prima facie* perusal of the record indicates that the statements of informant and victim are inconsistent on material aspects. Apart from this, having regard to the nature of allegations against the Applicant, the same would have been reflected in the medical examination. *Prima facie* perusal of the medical report does not support the allegations against the Applicant. In the light of these facts when the informant herself claimed that Applicant left her and also took their elder son to the native place, the possibility of false implication on these

grounds is not ruled out. Applicant has no criminal history. He is not likely to flee from justice. Hence, order.

ORDER

- i) Criminal Bail Application stands allowed in connection with Crime No. 10 of 2024 registered with Aarey Police Station, Mumbai for the offences punishable under Sections 354, 377, 506 of the Indian Penal Code, 1860 and Section 8 and 12 of the Protection of Children from Sexual Offences Act, 2012.
- ii) The Applicant be enlarged on bail, on furnishing P. R. Bond of Rs.15,000/- with one surety in the like amount, to the satisfaction of the Trial Court.
- iii) The Applicant not to interfere in the evidence of prosecution, in any manner, whatsoever.
- iv) The Applicant to attend all dates of hearing before the Trial Court, unless exempted by specific order.
- v) Any breach of the aforestated condition shall result forthwith into cancellation of bail.

6. In view of the above, Application stands allowed and disposed of accordingly.

7. It is clarified that the above observations are made on *prima facie* consideration of the material on record and the same shall not bind the parties during the final hearing of the Trial Case.

(R. M. JOSHI, J.)

VDMokal/-