

N.S.Kamble

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 3992 OF 2025

Sahil Amin Shaikh

... Applicant

Versus

State Of Maharashtra

... Respondent

NILAM
SANTOSH
KAMBLE

Digitally signed
by NILAM
SANTOSH
KAMBLE
Date: 2026.02.18
18:35:37 +0530

 Mr.H.D. More, for the Applicant.

Mr.B.B. Kulkarni, APP for Respondent-State.

Ms.Kanchand Pawar, for Respondent No.2.

 CORAM : SHIVKUMAR DIGE, J.
DATE : 17th FEBRUARY 2026

P.C.:

1. By this Application, the Applicant is seeking regular bail in Crime No.750 of 2023 registered with Bhigwan Police Station, for the offences punishable under Sections 354(c), 376(2)(n), 506 read with Section 34 of the Indian Penal Code, 1860 ('IPC' for short) and Sections 4, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012 ('POCSO' for short).

2. It is prosecution's case that the Applicant sexually assaulted the First Informant who was minor by threatening her.

N.S.Kamble

3. It is contention of learned counsel for the Applicant that at the time of incident, First Informant was more than 17 years old. There was love affair between the Applicant and First Informant. There is delay in lodging FIR. The Applicant is behind bars for more than two years. There is no progress in trial, and requested to allow the Application.

4. The learned counsel for the Applicant relied on following judgments :

(i) Sangram Sadashiv Suryavanshi V/s. The State of Maharashtra (Criminal Appeal No.4758 of 2024) decided on 25th November 2024.

(ii) Balasaheb Ashok Kalbhor V/s. The State of Maharashtra & Anr (Bail Application No.3430 of 2021 decided on 2nd May 2022)

(iii) Mohammed Ajaan Khan V/s. The State of Maharashtra & Anr (Bail Application No.4621 of 2024 decided on 13th February 2025)

(iv) Ritik Suresh Millil V/s. State of Maharashtra & Ors (Bail Application No.2732 of 2024 decided on 7th February 2025).

5. It is contention of learned APP along with learned counsel for Respondent No.2 that earlier bail application of the Applicant has been rejected by this Court (Coram: N.J. Jamadar, J.) on 19th December 2024.

N.S.Kamble

The said Application is rejected on merit. Hence, this Application is not maintainable. No new grounds are taken in the present Application and requested to reject the Application.

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

7. It appears from record that this Court (Coram: N.J. Jamadar, J.) by order dated 19th December 2024 has rejected Bail Application of the Applicant. The remedy to the Applicant was to challenge the said order, but the Applicant has come with new grounds. These new grounds are in fact not new grounds i.e. delay in lodging FIR, age of the victim more than 17 years, these grounds were already aware to the Applicant, it can't be considered as new grounds. The Applicant is behind bars for more than two years can't be a ground to grant bail as allegations against the Applicant are serious.

8. I have gone through the case laws cited by the learned counsel for the Applicant facts in cited case and the present case are different.

9. In view of above, I pass following order.

ORDER

(i) The Application is rejected.

(SHIVKUMAR DIGE, J.)