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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

VASANT
ANANDRAO
IDHOL

CRIMINAL BAIL APPLICATION NO.4165 OF 2025

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Date: 2026.04.07
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Sahil Rishi Bumbak @ Sawan

...Applicant

V/s.

State of Maharashtra & Anr.

..Respondents

Mr.Dattatray Pathak with Ms.Deepshika Pandey for the
Applicant.

Mr.A.S. Gawai, APP for the State – Respondent.

Mr.Danish Patel, appointed advocate for Respondent No.2.

Mr.Sanjay Dombale, API, Borivli Police Station is present in
Court.

CORAM : R.M. JOSHI, J.

DATE : 7TH APRIL, 2026.

P.C. :-

1. The Applicant seeks bail in connection with Crime
No.343 of 2025 registered with Borivli Police Station for the
offences punishable under Sections 74, 76 of Bhartiya Naya
Sanhita (BNS) and under Section 8 of Protection of Children
from Sexual Offences Act, 2012 (POCSO).

2. As per the case of the informant as it reflects from the FIR, the Applicant on 19th May, 2025 is said to have caused sexual assault on the son of the informant aged about 3 years. The allegation therein indicates that the Applicant has inappropriately touched the private part of the victim boy, which has resulted into losing of blood therefrom. On the basis of the said information, offence came to be registered against the Applicant. He was arrested on 20th May, 2025. Now the chargesheet is filed.

3. Learned counsel for the Applicant submits that the Applicant is aged about 20 years with no criminal history behind him. It is his further submission that except for the bare statement of the informant, there is absolutely no evidence in order to connect the Applicant with the crime. It is his submission that if it is specifically stated by the informant about the blood stained being found on the clothes of the victim, there ought to have been seizure of the same. It is his further submission that the case of the informant is neither supported by medical history nor by the medical evidence. It is his

submission that there is dispute between both sides since they are involved in the same profession of house keeping. It is his further submission that the trial is not likely to get over within a reasonable period of time and as such the Applicant is entitled for bail.

4. Learned APP and learned counsel for Respondent No.2 opposed the application by citing seriousness of the crime. It is their contention that the three year old boy has been sexually abused and hence this is not a fit case for grant of bail. They drew the attention of the Court to the statement of the first informant so also the statement of the victim boy.

5. Even accepting the position of law that it is possible to record the conviction against the accused of sexual assault solely relying upon the statement of the victim, however at the same time the other circumstances appearing on record cannot be ignored lightly. Here in this case, it is a specific allegation made by the informant is that the victim boy was found with bleeding injury to his private part. Apart from the fact that there is no recovery of the blood stained clothes / inner wear of the child,

the claim of the informant does not get any support from the medical evidence. In such circumstances, there is no reason to discard the contention the learned counsel for the Applicant that it could be possible case of false implication. The Applicant is aged about 20 years with no criminal history behind him. He is not likely to flee from justice. Needless to say that going to the pendency before the Trial Court, there is no possibility of the trial being commenced and concluded in reasonable time. Hence the order :

ORDER:

- a). The Application stands allowed.
- b). The Applicant be enlarged on bail in connection with Crime No.343 of 2025 registered with Borivli Police Station on furnishing PR bond of Rs.15,000/- with one surety in the like amount to the satisfaction of the Trial Court.
- c). The Applicant not to contact any witness directly or indirectly and not to interfere into the evidence of the prosecution in any manner whatsoever.
- d) The Applicant to attend all dates of hearing before the

Trial Court unless exempted.

e). It is clarified that above observations are *prima-facie* in nature and would not bind Trial Court / parties during trial.

(R.M. JOSHI, J.)