

Shubhada S Kadam

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 4205 OF 2025

Siddhesh Naresh Shinde

...Applicant

Versus

The State of Maharashtra and anr.

...Respondents

Mr. Aditya Desai, Advocate for Applicant.

Ms. Mahalaxmi Ganapathy, APP for Respondent No.1-State.

Mr. Tejas Kothalikar, Advocate for Respondent No.2(Appointed by Legal Aid)

PSI-Avinash Hatkhile, Waliv Police Station, present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 16th FEBRUARY, 2026.

P.C. :

1. By this application, the applicant is seeking regular bail in Crime No. 77 of 2025 registered with Wadkhal Police Station, District Raigad, for the offences punishable under Sections 64(2)(i), 69, 74, 351(2)(3) of the Bharatiya Nyaya Sanhita, 2023 and Sections 4 and 6 of Protection of Children from Sexual Offences Act, 2012.

2. It is prosecution's case that the first informant and the applicants were friends. The applicant sexually assaulted the first informant on the promise of marriage but he, thereafter, refused to marry her.

3. It is contention of learned counsel for the applicant that at the

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time of the incident, the first informant was more than 17 years and 9 months old. There was love affair between the applicant and the first informant. There is delay of almost three months in lodging the complaint. The applicant is behind bars for around seven months, he has no antecedents. Hence, requested to allow the application.

4. It is contention of learned APP along with learned counsel for respondent No.2 that the applicant sexually assaulted the first informant on the promise of marriage. The applicant was aware about the age of the first informant. It is alleged that the applicant intentionally made viral photographs with the first informant on social media. If the applicant is released on bail, he may threaten the first informant. Hence, requested to reject the application.

5. I have heard both learned counsel, perused charge-sheet and documents produced on record. There is delay of almost three years in lodging the complaint. At the time of the incident, the victim was more than 17 years and 9 months old. The applicant is behind bars for almost seven months, yet there is no progress in the trial. The applicant has no antecedents. Considering these facts, I pass following order :

ORDER

- (i) The applicant be enlarged on bail in Crime No. 77 of 2025 registered with Wadkhal Police Station, District Raigad, on

Shubhada S Kadam

executing P.R.Bond in the sum of Rs.30,000/- with one or two sureties in the like amount.

(ii) The applicant shall attend the concerned police station as and when required.

(iii) The applicant shall not tamper with the evidence or attempt to influence or contact the complainant, witnesses or any person concerned with the case.

The application is allowed in the aforesaid terms and is accordingly disposed of.

6. It is made clear that the above observations are made only for the purpose of granting bail and the Trial Court shall decide the case on its own merits in accordance with law and uninfluenced by the observations made in this order.

7. All concerned to act on the authenticated copy of this order.

(SHIVKUMAR DIGE, J.)