

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 4307 OF 2025

Rajesh Yelappa Mural ...Applicant
Versus
The State of Maharashtra and Anr. ...Respondents

Ms. Ayesha Maldar for the Applicant.
Mr. V. Deshmukh for the Respondent no.2
Mr. S.S. Ghag, APP for the Respondent-State.
Mr. Sunil Shinde, API, Jogeshwari Police Station.

CORAM: R. M. JOSHI, J.

DATED: 18th APRIL, 2026

PC:-

1. Applicant seeks bail in connection with CR. No. 207 of 2025 registered with Jogeshwari Police Station for the offences punishable under Section 74 of the Bharatiya Nyaya Sanhita and Sections 8 and 12 of the Protection of Children from Sexual Offence Act, 2012.
2. The first informant is the father of minor victim girl. The incident occurred on 28.05.2025 in which the applicant is said to have inappropriately touched the victim girl and her lip's were

bitten. On the basis of the said information offence came to be registered against the applicant. The victim girl was sent for medical examination. The statement of the whiteness were recorded. On conclusion of the investigation, chargesheet came to be filed.

3. Learned counsel for the applicant submits that applicant has no criminal history. She further argues that there is no medical evidence to support the allegation made against the applicant in the First Information Report. It is also contended that applicant is in jail from 29.05.2025. She claims that charge is not framed and as such there is no likelihood of conclusion of trial within reasonable time.

4. Learned counsel for the Respondent No.2 opposed the application by citing seriousness of the crime. It is their contention that as far as statement of victim to the police as well as Medical Officer are consistent, and as such could become basis of conviction of the accused. It is submitted that having regard to the nature of offence this is not a fit case to grant bail.

5. *Prima-facie*, perusal of the record indicates that victim was immediately taken for the medical examination. Though, she states history consistent with the First Information Report, there is no medical evidence indicating applicant biting her lip's. *Prima-facie* this Court finds substance in the contention of the applicant that in such case at least some marks would have been noticed by the medical officer. Apart from these facts, applicant is in jail since 29.05.2025 and charge is yet to be framed. There is no likelihood of conclusion of the trial in reasonable time. Applicant cannot be kept in jail by way of pre-trial sentence. He has no criminal history and he is not likely flee from justice.

6. At this stage Learned counsel for the Respondent No.2 submits that in case applicant is enlarged on bail, he would not pressurize witnesses and more particularly the victim. Learned counsel for the applicant on instructions makes statement that the applicant would not enter the jurisdiction of Jogeshwari Police Station till conclusion of the trial.

7. Hence, following order:-

ORDER

a) Application stands allowed.

- b) The Applicant be enlarged on bail in connection with CR. No. 207 of 2025 registered with Jogeshwari 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 to attend the Trial Court on each dates of hearing unless exempted by the Trial Court.
 - d) The applicant shall not enter the jurisdiction of Jogeshwari Police Station, during the pendency of the trial.
8. In view of the above, application stands disposed of.

(R. M. JOSHI, J.)