

Akash

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 4327 OF 2025

Shridhar Pandhurang Ravate ...Applicant
Versus
State of Maharashtra & Anr. ...Respondents

Mr. Sushil Upadhyay a/w Ritesh Dubey i/b Vivek Mishra, for the Applicant.

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

Ms. Komal Sinha, for the Respondent No.2.

Mr. D.B. Sawant, PSI, Saphale Police Station, present.

CORAM: R. M. JOSHI, J.

DATED: 15th APRIL, 2026.

PC:-

1. At the outset, learned counsel for the applicant seeks leave to amend the application in order to screen the name of victim.
2. Leave granted. Amendment be carried forthwith.
3. By this application, the applicant seeks bail in connection with C.R. No.71 of 2025 registered with Safale Police Station, District - Palghar, for the offences punishable under Sections 74 of the Bharatiya Nyaya Sanhita, 2023 (for short "**BNS**") and under Sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012 (for short "**POCSO**").

4. As per the case of the prosecution, First Information Report came to be registered on 7th June 2025 in respect of incident occurred on 2 June 2025. It is the case of the informant that the applicant who is her maternal cousin brother came home in inebriated condition and slept besides her minor daughter. He attempted to commit sexual intercourse with the minor daughter. When it was realized, informant slapped applicant. After the consultation with their relatives offence came to be registered. Now investigation is over, chargsheet is filed and charge has also been framed against the applicant.

5. Learned counsel for the applicant submits that there is delay of 04 days in lodging of the First Informant Report and unless explained satisfactorily, it creates doubt about the case of the prosecution. It is his submission that, initially the report is lodged in respect of the incident occurred on 04th June 2025, however, by recording supplementary statement the date was changed from 04th June 2025 to 02nd June 2025. It is his submission by referring to the statement of witness of Manoj Ghatal on whose birthday applicant was said to have come to his place, indicates that the birthday was on 02nd June 2025 and not on 04th June 2025. In any

case, it is his submission that the statements of victim and informant are not consistent and hence applicant is entitled for bail. It is his further submission that the offence charged against the applicant is punishable with maximum punishment of 05 years imprisonment and since there is no possibility of completion of trial in a reasonable time, he be granted bail.

6. Learned APP and learned counsel for the Respondent No.2 oppose the application by citing seriousness of the crime. It is contended that statement of victim who is aged of 09 years would be sufficient to convict the accused without seeking any further corroboration. According to them charge has been framed and hence the trial can be expedited.

7. No doubt consistent and reliable statement of victim can become sole ground for conviction of the accused. However, in case where the allegations are of such a nature that there cannot be any other evidence including medical evidence, such statement must inspire complete / total confidence. *Prima facie* perusal of the record indicates that the First Information Report came to be lodged after 04 days of the occurrence of the incident. Apart from this initially the incident is said to have occurred on 04th June 2025

whereas later on by recording supplementary statement it is contended that the incident occurred on 07th June 2025. Thus material consistency has occurred with regard to the date on which the incident in question has taken place. Having regard to the said inconsistencies, this Court finds it appropriate to enlarge the applicant on bail as he cannot be kept in jail by way of pre-trial sentence. Though the charge is framed, owing to pendency before the Trial Court there is no possibility of a conclusion of trial within a reasonable time.

8. Learned counsel for the Respondent No.2 and learned APP apprehend pressurizing of the victim and witnesses at the instance of the applicant if he is enlarged on bail. In response to this submission, learned counsel for the applicant on instructions made statement that the applicant will not enter the jurisdiction of Safale Police Station till conclusion of trial.

9. In view thereof, the following order is passed :-

ORDER

- (i) Criminal Bail Application No.4327 of 2025 stands allowed, in connection with C.R. No.71 of 2025 registered with Safale Police Station, District - Palghar, the applicant be enlarged on

bail on furnishing PR Bond in the sum of Rs.15,000/- with one surety in the like amount to the satisfaction of the Trial Court.

- (ii) As undertaken applicant shall not enter the jurisdiction of Safale Police Station till conclusion of trial.
- (iii) The applicant shall not directly or indirectly or in any manner whatsoever shall contact victim or any witnesses and not to pressurize them.
- (iv) The applicant to attend all dates of hearing before the Trial Court unless exempted.
- (v) Any breach of above condition shall result into cancellation of bail.

10. The above observations made in this order are prima-facie in nature and will not bind parties or Trial Court during trial.

11. In view of the above, the Bail Applicant stands disposed of.

(R. M. JOSHI, J.)