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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

VASANT
ANANDRAO
IDHOL

CRIMINAL BAIL APPLICATION NO.4349 OF 2025

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Suresh Dhakatu Shinde

...Applicant

V/s.

State of Maharashtra & Anr.

..Respondents

Mr.Sundeep R. Singh with Ms.Mansi Singh for the Applicant.

Mr.S.V. Walve, APP for the Respondent – State.

Mr.Danish Patel for Respondent No.2.

Ms.Savita Jadhav, WPSI, attached to Bhandup Police Station is present in Court.

CORAM : R.M. JOSHI, J.

DATE : 28TH APRIL, 2026.

P.C. :-

1. The Applicant seeks bail in connection with Crime No.577 of 2025 registered with Bhandup Police Station for the offences punishable under Section 74 of Bhartiya Nyaya Sanhita (BNS), Sections 8 and 10 of Protection of Children from Sexual Offences Act (POCSO).

2. In short, it is the case of the prosecution that on 11th

July, 2025, an incident occurred in which the present Applicant is said to have inappropriately touched the private parts of the victim, aged about 10 years. On the basis of the report lodged by the first informant i.e. the mother of the victim, offence came to be registered against the Applicant. On conclusion of the investigation, chargesheet is filed.

3. Learned counsel for the Applicant submits that the informant has not given the description of the person who allegedly committed the act in question. It is pointed out that while lodging the FIR the name of the present Applicant was revealed to the informant, however during the recording of the history before the Medical Officer, it is claimed that the act in question has been committed by the unknown person. Apart from this, it is his submission that since the offences punishable with maximum punishment of seven years, and as the Applicant has no criminal history, he is entitled for bail.

4. Learned APP and learned counsel for Respondent No.2 opposed the application by pointing out the statement of the victim recorded before the police so also before the Magistrate. It

is their contention that having regard to the serious nature of the crime, the Applicant is not entitled for bail. Apprehension is also raised with regard to pressurizing of the victim in case the Applicant is enlarged on bail. In response thereto, learned counsel for the Applicant on instructions makes statement that the Applicant will not enter into the jurisdiction of the concerned police station till the decision of the trial.

5. Even if the case of the prosecution is accepted to be correct, question before this Court is as to whether the Applicant can be kept in jail by way of pre-trial sentence. Undisputedly the investigation into the offence is complete with filing of the chargesheet. The offence is punishable with maximum punishment of seven years. The Applicant has no criminal history. He is not likely to flee from justice. He cannot be kept in jail by way of pre-trial sentence.

6. Apprehension of the prosecution as well as Respondent No.2 about pressurizing of the victim is taken care with the voluntary statement made on behalf of the Applicant that he will stay away from the jurisdiction of the concerned police

station till conclusion of the trial.

7. Hence the following order :-

ORDER:

- a). The Application stands allowed.
 - b). The Applicant be enlarged on bail in connection with Crime No.577 of 2025 registered with Bhandup Police Station on furnishing PR bond of Rs.15,000/- with one or two sureties 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 not to contact the victim or any witness directly or indirectly and not to interfere into the evidence of the prosecution in any manner whatsoever.
8. It is clarified that above observations are *prima-facie* in nature and would not bind Trial Court / parties during trial.

(R.M. JOSHI, J.)