

Shubhada S Kadam

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.4422 OF 2025

Sachin Rama Avtade

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Aniket Nikam along with Ms. Abhilasha Pawar along with Mr. Sumit Patil, Advocate for Applicant.

Ms. Veera S. Shinde, APP for Respondent-State.

Mr. Ganesh Rathod, PSI, Yerwada Police Station, Pune City, present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 6th FEBRUARY, 2026.

P.C. :

1. By this application, the applicant is seeking regular bail in Crime No.449 of 2025 registered with Yerwada Police Station, District Pune, for the offences punishable under Sections 143(2), 143(3), 143(4) read with 3(5) of the the Bharatiya Nyaya Sanhita, 2023 and Sections 75, 80, 81 and 87 of the Juvenile Justice (Care and Protection of Children) Act, 2015.

2. It is prosecution's case that accused Nos. 1 and 2 had sold their biological child to accused No. 6. It is alleged that the applicant and his wife-accused No.4 has acted as agents in the said sale transaction.

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3. It is contention of learned counsel for the applicant that there are no specific allegations against the applicant. The allegation is against accused No.4-his wife that the amount from the said transaction is received by her. No amount is received by the applicant. The applicant is behind bars for more than eight months, he has no antecedents and requested to allow the application.

4. It is contention of learned APP that the applicant and accused No.4 are husband and wife. Both of them acted as agents in the sale of the said child. The applicant was actively involved in the said transaction. If he is released on bail, he may abscond or threaten the prosecution witnesses. The punishment provided for the offences registered against the applicant is of life imprisonment. Hence, requested to reject the application.

5. I have heard both learned counsel, perused charge-sheet and documents produced on record. The allegations against the applicant are that he and his wife acted as agents in the sale of child. The amount of the said sale is received in bank account of the wife of the applicant. No amount is received by the applicant. To show his involvement in the crime, evidence is required. The applicant is behind bars for more than eight months, he has no antecedents. Considering these facts, I pass following order :

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ORDER

- (i) The applicant be enlarged on bail in Crime No.449 of 2025 registered with Yerwada Police Station, District Pune, on 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.)