

S .S. Kilaje

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 4467 OF 2025**

Rutik @ Hadkya Raju Kakade	... Applicant
Versus	
State Of Maharashtra And Anr.	... Respondent

Mr. Vipul V. Dushing a/w. Mr. Tanmay Kate, Mr. Ashraf Kazi, Mr. Prajyot Shinde, Mr. Ajay Gawali i/b. Mr. Nitin Bhalerao, Advocates for Applicant.

Ms. Kranti Hiwrale, APP for Respondent-State.

Ms. Keral Mehta, Advocate for Respondent No.2.

CORAM : SHIVKUMAR DIGE, J.

DATE : 15th APRIL, 2026.

P.C. :

1. By this application, the Applicant is seeking regular bail in C.R.No. 2077 of 2020 registered with Yerwada Police Station, Pune, for the offences punishable under Sections 376(2)(n) and 506 of Indian Penal Code, 1860 (for short "IPC") and Sections 3, 4, 5(j)(ii), 5(l) and 6 of Protection of Children from Sexual Offences Act, 2012 (for short "POCSO Act").

2. It is prosecution's case during period from 10.01.2020 to May-2020, applicant sexually assaulted the minor daughter of the first informant and impregnated her.

3. It is contention of learned counsel for the applicant that the applicant is behind bars for more than five years and seven months. There

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was love affair between the applicant and victim. There is delay in lodging the complaint. The prosecution has examined one witness, but the victim is not traceable. At the time of incident, the applicant was 20 years old. The applicant has no antecedents. Hence, requested to allow the application.

4. It is contention of learned APP and learned counsel for respondent No.2 that the applicant repeatedly sexually assaulted the victim and impregnated her. The DNA of fetus matches with the applicant. If the applicant is released on bail, he may abscond or threaten prosecution witnesses. Hence, requested to reject the application.

5. I have heard both the learned counsel. Perused chargesheet and documents produced on record. There is delay in lodging the complaint. The complaint was lodged after nine months. The first informant came to know about the sexual assault after victim got pregnant. At the time of incident, victim was 15 years old, whereas applicant was 20 years old. The applicant is behind bars for more than five years and seven months. Though, prosecution has examined one witness, victim is not traceable. It may take time to conclude the trial. Considering these facts, I pass following order.

ORDER

- i. The applicant be enlarged on bail in C.R.No. 2077 of

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2020 registered with Yerwada Police Station, Pune, on executing P.R.Bond of Rs. 30,000/- on furnishing 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.

6. The application is allowed in the aforesaid terms and is accordingly disposed of. All pending applications, if any, disposed of.

7. 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.

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

(SHIVKUMAR DIGE, J.)