

N.S.Kamble

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 4511 OF 2025

Prakash Sham Shetty

... Applicant

Versus

State Of Maharashtra And Anr

... Respondents

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Mr.Ashraf Kaxi a/w Mr.Vipul Dushing, Mr.Tanmay Kate, Mr.Khalid Shaikh, Mr.Akshay Badve, Mr.Prakash Ghogare, for the Applicant.
Mr.P.P. Jadhav, APP for Respondent-State.
Ms.Shaila Pathare, PSI, Baner Police Station, Pune.

CORAM : SHIVKUMAR DIGE, J.

DATE : 30th JANUARY, 2026

P.C.:

. By this Application, Applicant is seeking regular bail in Crime No.187 of 2025 registered with Baner Police Station, Pune, for the offences punishable under Sections 143, 64(1), 45, 49, 54, 308(1), 62, 61(2) and 3(5) of the Bhartiya Nyaya Sanhita, 2023 ('BNS' for short) and Sections 3,4, and 5 of the Immoral Traffic Prevention Act, 1986 ('PITA Act' for short).

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2. It is prosecution's case that the First Informant and her friend were sexually assaulted by the co-accused in the lodge where the Applicant was Manager.

3. It is contention of learned counsel for the Applicant that the Applicant has no antecedents. The Applicant is behind bars for more than 5 months. There is no progress in trial. The allegations of the sexual assault are against the co-accused and requested to allow the Application.

4. It is contention of learned APP along with learned counsel for Respondent No.2 that the Applicant was Manager of the lodge where the victims were sexually assaulted. The Applicant was aware about the act done by the co-accused. He provided room to the co-accused without identity proof, it shows involvement of the Applicant in crime. If the Applicant released on bail, he may abscond or threaten prosecution witnesses, and requested to reject the Application.

5. I have heard all learned counsel. Perused charge-sheet and documents produced on record.

6. The victims are major. There are no allegations against the Applicant of sexual assault on the victims. The allegations against the

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Applicant are that he was Manager of the lodge where the victims were sexually assaulted. The Applicant is behind bars for more than 5 months. There is no progress in trial. The Applicant has no antecedents.

7. Considering these facts, I pass following order.

ORDER

- (i) The Applicant-Prakash Sham Shetty be released on bail in Crime No.187 of 2025 registered with Baner Police Station, Pune, on furnishing PR bond of Rs.25,000/- with one or two solvent sureties in the like amount.
- (ii) The Applicant shall not contact the victim and shall not tamper with the evidence and/or influence the prosecution witnesses.
- (iii) The Trial Court shall decide the case on its own merits and in accordance with law, uninfluenced by the observations made in this order.
- (iv) The Applicant shall attend the concerned Police Station as and when required.
- (v) Application is allowed in the aforesaid terms.

(SHIVKUMAR DIGE, J.)