

Shubhada S Kadam

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

BAIL APPLICATION NO. 4541 OF 2025

Shafique Ahmed Mohd Ismail @ Shafique Rane ...Applicant

Versus

The State of Maharashtra and anr. ...Respondents

Mr. Niranjan Mundargi ib/. Mr. Veerdhawal Deshmukh, Advocate for the Applicant.

Mr. M. G. Patil, APP for Respondent-State.

Mr. M. N. Sandhyanshiv, Advocate for Respondent No.2.

CORAM : SHIVKUMAR DIGE, J.

DATE : 29th JANUARY, 2026.

P.C. :

1. By this application, the applicant is seeking regular bail in Crime No. 57 of 2025 registered with Ramjanpura Police Station, Malegaon, for the offences punishable under Sections 64(2)(m), 74 and 351(2) of the Bharatiya Nyaya Sanhita, 2023.

2. It is prosecution's case that the applicant is the employer of the first informant. He had given hand loan to the first informant and on the basis of the hand loan, by threatening her, the applicant sexually assaulted the first informant on several occasions.

3. It is contention of learned counsel for the applicant that there is delay in lodging the complaint. The alleged first incident occurred in the

SHUBHADA
SHANKAR
KADAM

Digitally signed by
SHUBHADA
SHANKAR KADAM
Date: 2026.01.31
17:43:26 +0530

Shubhada S Kadam

month of March-2025, whereas the FIR was lodged in June-2025. The applicant is behind bars for more than six months. He has antecedents of political nature and requested to allow the application.

4. It is contention of learned APP along with learned counsel for the first informant that the applicant was the employer of the first informant. He had given hand loan to her and by taking undue advantage of it, he sexually assaulted her by threatening her. Due to fear, the first informant could not file the complaint immediately. She got pregnant due to sexual assault by the applicant. DNA has been sent to FSL. The applicant's family members are threatening the first informant and her family members. If the applicant is released on bail, he may threaten the first informant and prosecution witnesses. Hence, requested to reject the application.

5. I have heard all the learned counsel, perused the charge-sheet and documents produced on record. There is delay in lodging the complaint. While giving medical history, the first informant mentioned that she became pregnant from her husband and did not take the name of the applicant. To prove the allegations against the applicant require evidence. The applicant is behind bars for more than six months. There is no progress in the trial. Considering these facts, I pass following order:

Shubhada S Kadam

ORDER

- (i) The applicant be enlarged on bail in Crime No. 57 of 2025 registered with Ramjanpura Police Station, Malegaon, 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 contact the first informant and her family members.
- (iv) 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.)