

S. S. Kilaje

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

BAIL APPLICATION NO. 4720 OF 2025

Bharat Ramesh More

... Applicant

VERSUS

State Of Maharashtra And Anr.

... Respondents

Mr. Niranjan Bhavake a/w. Ms. Drishti Madhani, Ms. Vaishnavi Chore i/b.
Mr. Sushant Tayade, Advocates for Applicant.

Mr. B. B. Kulkarni, APP for the Respondent-State.

Ms. Abhilasha Pawar, Advocate for Respondent No.2.

PSI – P.R.Gample, Vishrantwadi Police Station, Pune City, present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 11th MARCH, 2026.

P.C. :

1. By this application, the applicant is seeking regular bail in C.R.No. 173 of 2025 registered with Vishrantwadi Police Station, Pune, for the offences punishable under Section 64(2)(f) of Bharatiya Nyaya Sanhita, 2023 (for short “BNS Act”) and Sections 6 and 8 of Protection of children from Sexual Offences Act, 2012 (for short “POCSO Act”).

2. It is prosecution’s case that there was a marital dispute between the applicant and first informant who are husband and wife. Victim is their minor daughter aged six year. It is alleged that when victim was staying with the applicant, at that time he sexually assaulted the victim by

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inserting finger in her private part.

3. It is contention of learned counsel for the applicant that applicant is falsely implicated in this case. There is marital dispute between the applicant and first informant. On the same day when first informant left the house of applicant, she lodged NC against the applicant. In the said NC, she has not mentioned about the alleged incident. The medical report does not support the prosecution's case. The applicant is behind bars for around eight months. There is no progress in trial and requested to allow the application.

4. It is contention of learned APP along with learned counsel for respondent No.2 that the applicant inserted finger in private part of the victim. The medical papers produced on record supports the prosecution's case. If the applicant is released on bail, he may abscond or threaten prosecution witnesses and victim and requested to reject the application.

5. I have heard all learned counsel. Perused chargesheet and documents produced on record. It appears from the record that the first informant left the house of the applicant on 29.06.2025 with her sister and on 01.07.2025 first informant took the victim with her to Mumbai. It is alleged that in between 29.06.2025 to 01.07.2025, at night, the applicant inserted finger in private part of the victim. The medical report shows redness on the private part of the victim and hymen intact. To

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prove the allegations against the applicant, evidence is required. The applicant is behind bars for around eight months. There is no progress in the trial. Investigation is completed, chargesheet has been filed. Learned counsel for the applicant, on instructions, submits that the applicant will not contact victim nor claim custody of the victim till disposal of this case. His statement is accepted. In view of above, I pass following order.

ORDER

- i. The applicant be enlarged on bail in C.R.No. 173 of 2025 registered with Vishrantwadi 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

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made in this order.

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

(SHIVKUMAR DIGE, J.)