

N.S.Kamble

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

CRIMINAL BAIL APPLICATION NO. 4922 OF 2025

Ganesh Devidas Hanawate

... Applicant

Versus

The State Of Maharashtra And Anr

... Respondents

 Mr.Ulkesh Gangurde i/b Mr.Vikas Kharat, for the Applicant.

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

Mr.Bhushan M. Shinde, for Respondent No.2.

Mr.Vishal D. Jadhav, PSI, Sarkarwada Police Station, Nashik City.

CORAM : SHIVKUMAR DIGE, J.
DATE : 2nd APRIL 2026**P.C. :**

1. By this Application, the Applicant is seeking regular bail in Crime No.113 of 2025 registered with Sarkarwada Police Station, Nashik, for the offences punishable under Sections 137(2), 64(1)(2)(D) of the Bharatiya Nyaya Sanhita, 2023 ('BNS' for short) and Sections 4,5(j)(2), 6 and 8 of the Protection of Children from Sexual Offences Act, 2012 ('POCSO' for short).

2. It is prosecution's case that the Applicant kidnapped minor daughter of the First Informant and sexually assaulted her on several occasions.

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3. It is contention of learned counsel for the Applicant that there was love affair between the Applicant and victim. At the time of the incident the Applicant was 21 years old, whereas the victim was more than 17 years old. The Applicant is behind bars for more than ten months. The Applicant has no antecedents. It may take time to conclude the 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 was aware about the age of the victim. He kidnapped her and sexually assaulted her on several occasions. If the Applicant released on bail, he may abscond or threaten Victim, First Informant and prosecution witnesses, and requested to reject the Application.

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

6. There is delay in lodging the complaint. At the time of the incident the victim was more than 17 years old, whereas the Applicant was 21 years old. The Applicant is behind bars for more than ten months. The Applicant has no antecedents. There is no progress in trial. It may take time to conclude the trial.

7. Considering these facts, I pass following order.

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ORDER

- (i) The Applicant be released on bail in Crime No.113 of 2025 registered with Sarkarwada Police Station, Nashik, on furnishing PR bond of Rs.25,000/- with one or two solvent sureties in the like amount.
- (ii) The Applicant 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.)