

S.S.Kilaje

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 117 OF 2026

Prashant Shamrao Gaikwad

... Applicant

VERSUS

State Of Maharashtra And Anr.

... Respondents

Mr. Sachin H. Deokar a/w. Mr. Vignesh Ashokan, Advocate for Applicant.
Mr. S.R.Agarkar, APP for the Respondent-State.
Ms. Grishma Parab (Through VC), Advocate for Respondent No.2.

CORAM : SHIVKUMAR DIGE, J.

DATE : 30th APRIL, 2026.

P.C. :

1. By this application, the Applicant is seeking regular bail in C.R.No. 266 of 2022 registered with Vishrantwadi Police Station, Pune, for the offences punishable under Sections 376, 376(2)(n), 504, 506 of Indian Penal Code, 1860 (for short "IPC") and Sections 4, 5(l), 5(n) and 6 of Protection of Children from Sexual Offences Act, 2012 (for short "POCSO Act").

2. It is prosecution's case that during period February -2022 to April-2022, applicant sexually assaulted the minor daughter of the first informant by threatening her.

3. It is contention of learned counsel for the applicant that the

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applicant is behind the bars more than three years and six months. The applicant has no antecedents. There is delay in lodging the complaint. Hence, requested to allow the application.

4. It is contention of learned APP along with learned counsel for respondent No.2 that the applicant is a step uncle of the victim. At the time of commission of offence, victim was 16 years old. The applicant sexually assaulted her by threatening her. They stay in the same area. If the applicant released on bail, he may abscond as charge is framed against him. 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 applicant is behind the bars more than three years and six months. There is no progress in the trial. At the time of incident, the victim was 16 years old. Considering these facts, I pass following order.

ORDER

- i. The applicant be enlarged on bail in C.R.No. 266 of 2022 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.

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- 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.
 - iv. The applicant shall not enter in the area where victim stays.
 - v. The applicant shall not contact the victim.
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.)