

S.S.Kilaje

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 171 OF 2026

Sameer Popat Thokle

... Applicant

VERSUS

The State Of Maharashtra and Anr.

... Respondents

Mr. Shailesh Kharat, Advocate for Applicant.

Mr. S.R.Agarkar, APP for Respondent-State.

Mr. Ravi Shankar Dwivedi, Appointed Advocate for Respondent No.2.

IO- PSI – Ms. Komal Jadhav, Hadapsar Police Station, present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 6th MAY, 2026.

P.C. :

1. By this application, the Applicant is seeking regular bail in C.R.No.14 of 2025 registered with Hadapsar Police Station, Pune, for the offences punishable under Sections 64(2)(m) of the Bharatiya Nyaya Sanhita, 2023 (for short “BNS Act”) a/w. Section 67 of Information and Technology Act, 2000 (for short “IT Act”).

2. It is prosecution’s case that the applicant sexually assaulted the first informant on the promise of marriage and thereafter threatened her. It is alleged that applicant made obscene photographs of the first informant and viraled on Instagram and repeatedly harassed the first

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informant.

3. It is contention of learned counsel for the applicant that physical relationship between the applicant and first informant was consensual. There is delay in lodging the complaint. The mobile phone of applicant is seized by the police. The applicant has no antecedents. and requested to allow the application.

4. It is contention of learned APP along with learned counsel for the respondent No.2 that the applicant sexually assaulted the first informant by threatening her. He made obscene photographs of the first informant viral on Instagram. If he is released on bail, he may abscond and threatened prosecution witnesses and requested to reject the application.

5. I have heard all the learned counsel. Perused chargesheet and documents produced on record. The applicant is behind bars for one year and four months. The applicant has no antecedents. It appears that physical relationship between the applicant and first informant was consensual. To prove the case against the applicant, trial is required. The applicant has no antecedents. Considering these facts, I pass following order.

ORDER

- i. The applicant be enlarged on bail in C.R.No.14 of 2025

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registered with Hadapsar 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.
- iv. The applicant shall not contact the victim and prosecution witnesses.

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. The Maharashtra Legal Services Authority is directed to pay legal fees to appointed Advocate as per rule.

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

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(SHIVKUMAR DIGE, J.)