

S.S.Kilaje

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 339 OF 2026**

Manoj Suresh Kudake

... Applicant

Versus

The State of Maharashtra and Anr.

... Respondents

Mr. Yash Agarwal a/w. Mr. Rahul Gaikwad, Advocate for the Applicant.

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

Ms. Bindal K. Bhatia, Advocate for Respondent No.2.

CORAM : SHIVKUMAR DIGE, J.

DATE : 8th APRIL, 2026.

P.C. :

1. By this application, the Applicant is seeking regular bail in C.R.No. 605 of 2023 registered with Ghoti Police Station, Nashik, for the offences punishable under Sections 363, 376(2)(N) of Indian Penal Code, 1860 (for short "IPC") and under Sections 4, 8 and 12 of Protection of children from Sexual Offences Act, 2012 (for short "POCSO Act").

2. It is prosecution's case that the applicant kidnapped minor daughter of the first informant and sexually assaulted her.

3. It is contention of learned counsel for the applicant that victim herself admitted that she was in a love affair with the applicant and stayed with him for six months but she did not complain to anyone. The applicant is behind bars for more than two years. There is no progress in

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the trial. Hence, requested to allow the application.

4. It is contention of learned APP that at the time of incident victim was 15 years and 8 months old, whereas, applicant was married. He was aware about the age of the victim, inspite of that, he kidnapped the victim and sexually assaulted her. If the applicant is released on bail, he may abscond or threaten victim and prosecution witnesses. Hence, requested to reject the application.

5. I have heard both the learned counsel. Perused chargesheet and documents produced on record. The victim stayed with the applicant for six months but she did not complain to anyone. At the time of incident, victim was more than 15 years old. In her statement recorded under Section 164 of Cr.P.C., she admits about love affair with the applicant. The applicant is behind bars for more than two years. There is no progress in the trial. The applicant has no antecedents. Considering these facts, I pass following order.

ORDER

- i. The applicant be enlarged on bail in C.R.No. 605 of 2023 registered with Ghoti Police Station, Nashik, 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

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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 made in this order.

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

(SHIVKUMAR DIGE, J.)