

N.S.Kamble

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

CRIMINAL BAIL APPLICATION NO. 366 OF 2026

Abhishek Anil Kusalkar

....Applicant

VERSUS

The State Of Maharashtra And Anr

....Respondents

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Mr.Priyal G. Sarda a/w Ms.Seema S. Dighe, Mr.Shubham S. Sane, for the Applicant.

Mr.S.M. Mangaonkar, APP for Respondent-State.

Mr.Dhammaraj Shejul, for Respondent No.2.

Mr.Santosh Jadhav, API, Lonavala City Police Station, Pune Rural.

CORAM : SHIVKUMAR DIGE, J.

DATE : 22nd APRIL 2026

P.C. :

1. By this Application, the Applicant is seeking regular bail in Crime No.167 of 2025 registered with Lonavala City Police Station, Pune, for the offences punishable under Sections 80(2), 64, 69, 3(5) of the Bharatiya Nyaya Sanhita, 2023 ('BNS' for short), Sections 4, 12 and 17 of the Protection of Children from Sexual Offences Act, 2012 ('POCSO' for short), and Section 9, 10 and 11 of the Prohibition of Child Marriage Act.

2. It is prosecution's case that niece of First Informant married with the Applicant on 19th January 2025. It is alleged that after marriage, Applicant and co-accused ill treated her for demand of dowry. Due to

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continuous mental and physical harassment by the Applicant and co-accused, she committed suicide on 2nd May 2025 by hanging herself.

3. It is contention of learned counsel for the Applicant that the Applicant is behind bars for around one year. There are statements of witnesses which shows that the Applicant was scolding the deceased due to household work and there was no harassment for dowry. The Applicant has no antecedents. The co-accused having similar allegations have been released on bail, and requested to allow the Application.

4. It is contention of learned APP along with learned counsel for Respondent No.2 that after four months of marriage, deceased has committed suicide due to mental and physical harassment by the Applicant and co-accused. There are statements of the witnesses which show that there was continuous mental and physical harassment to the deceased by the Applicant and co-accused. If the Applicant released on bail, he may abscond or threaten 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. The Applicant is behind bars for around one year. To prove the allegations against the Applicant, evidence is required. The Applicant has

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no antecedents. There is no progress in trial. It may take time to conclude the trial and I pass following order.

ORDER

- (i) The Applicant be released on bail in Crime No.167 of 2025 registered with Lonavala City Police Station, Pune 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.)