

Prasad

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.677 OF 2026

Raju Hanumanta Jangle

...Applicant

Versus

State of Maharashtra and Anr.

...Respondents

Ms. Anjali Patil, for the Applicant.

Mr. A.S. Gawai, APP for the Respondent - State.

PSI – Sopan Wadkar, Sakinaka Police Station, present.

CORAM: R. M. JOSHI, J.

DATED: 9th APRIL, 2026.

PC:-

1. The Applicant seeks his enlargement on bail in connection with CR No.981 of 2025 registered with Sakinaka Police Station for offence punishable under Sections 64 and 78 of the Bharatiya Nyaya Sanhita, 2023 and Section 66(E), (D) of the Information Technology Act, 2000.

2. In short, it is the case of the prosecution that she got acquainted with the Applicant on social media. They used to chat with each other. Thereafter, they came close to each other. It is specifically stated in the FIR that by consent they shared their nude photographs with each other. It is thereafter physical relations came to be established between them. There is allegation of prosecutrix that the Applicant has established forcible physical relations with her. The said incident occurred in 2024, whereas the FIR came to be lodged in the year 2025.

3. Learned counsel for the Applicant submits that considering the fact that prosecutrix and the Applicant both are adult persons, relationship between them is apparently consensual in nature. She submits that there is no evidence in order to show that the Applicant shared any obscene photographs of the prosecutrix to any other person in order to support the allegations. She submits that Applicant has no criminal history behind him and he is not likely to flee from justice. She contends that once the charge-sheet is filed, the Applicant cannot be kept behind the bars by way of pre-trial sentence. She therefore prays that the Applicant be enlarged on bail.

4. Learned APP opposed the application with a submission that the statement of the victim that she was subjected to forcible sexual intercourse deserves to be accepted even in absence of further corroborating evidence. It is his submission that having regard to serious nature of the crime this is not a fit case for grant of bail.

5. Perusal of record indicates that the prosecutrix and the Applicant are adult persons. On the face of it the FIR indicates that this could be a case of consensual relationship between the parties. There is a specific statement in the FIR about the prosecutrix sharing her nude photographs with the Applicant and vice versa. Thus there is neither force nor deception in the same.

6. A specific query was made to the learned APP as to whether there is any evidence to show that those photographs are shared by the Applicant to any third person on the basis of evidence collected during the course of investigation, he was unable to point out any such material.

7. Considering the aforesaid facts, the application cannot be kept behind the bars by way of pre-trial sentence. On Imposing appropriate conditions his presence can be secured. Hence, following order.

ORDER

- i) The Bail Application stands allowed.
- ii) In connection with CR No.981 of 2025 registered with Sakinaka Police Station, the Applicant be released on bail on furnishing PR Bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand Only) with one local surety in the like amount to the satisfaction of the Trial Court.
- iii) The Applicant shall attend all dates of hearing before the Trial Court unless exempted.
- iv) The Applicant shall not tamper with or interfere with the prosecution evidence in any manner whatsoever.
- v) The Applicant shall not contact the victim / prosecutrix in any manner whatsoever.

8. It is made clear that the observations made herein are *prima facie* and are confined to this Application and the learned Trial Judge to decide the case on its own merits, uninfluenced by the observations made herein.

(R. M. JOSHI, J.)