

S.S.Kilaje

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 1007 OF 2026

Yogesh Machindra Choudhari

... Applicant

versus

State Of Maharashtra and Anr.

... Respondents

Mr. Nitin Gaware Patil a/w. Mr. Harsh Rathod, Advocate for Applicant.

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

Mr. Mahesh S. Arjun, Advocate for Respondent No.2.

PSI – Amit Patil, Bhigwan Police Station, Pune Rural, present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 24th APRIL, 2026.

P.C. :

1. By this application, the applicant is seeking regular bail in C.R.No. 219 of 2025 registered with Bhigwan Police Station, Pune, for the offences punishable under Sections 64(1), 64(2)(i) and 115(2) of Bharatiya Nyaya Sanhita, 2023 (for short “BNS Act”) and Section 4,6 and 8 of Protection of children from Sexual Offences Act, 2012 (for short “POCSO Act”).

2. It is prosecution’s case that the applicant forcefully dragged the victim into a sugarcane field and sexually assaulted her.

3. It is contention of learned counsel for the applicant that there was love affair between the applicant and victim. At the time of incident,

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the victim was 17 years and 9 months old. There is delay in lodging the complaint. The statement of victim's friend is not recorded, who was allegedly present with the victim at the time of incident. The applicant has no antecedents. The applicant is a student and is behind bars for more than seven months and requested to allow the application.

4. It is contention of learned APP along with learned counsel for respondent No.2 that the applicant forcefully dragged the victim into a sugarcane field and sexually assaulted her. The victim got pregnant due to the sexual assault. If the applicant is released on bail, he may abscond or threaten the 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. There is delay in lodging the complaint. The complaint was lodged when victim became pregnant. At the time of incident, victim was 17 years old. It is alleged that when the incident occurred, the victim's friend was present but her statement is not recorded. The applicant has no antecedents. The applicant is a student. If he remains behind bars, his educational life will be ruined. Considering these facts, I pass following order.

ORDER

- i. The applicant be enlarged on bail in C.R.No. 219 of

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2025 registered with Bhigwan 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.

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.)