

Shubhada S Kadam

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 1021 OF 2026

Akshay Dilip Nitnavare

....Applicant

versus

The State of Maharashtra and anr.

....Respondents

Mr. Ravishankar B. Thombare, Advocate for Applicant.

Ms. Kranti Hiwrale, APP for Respondent No.1-State.

Mr. Chinmay Godse, Advocate for Respondent No.2.

API-S.A. Patil, Bharti Vidyapeeth Police Station, Pune City, present.

CORAM : SHIVKUMAR DIGE, J.

DATE : 23rd APRIL, 2026.

P.C. :

1. By this application, the applicant is seeking regular bail in Crime No. 355 of 2024 registered with Bharati Vidyapeeth Police Station, District Pune, for the offences punishable under Sections 363 and 366 of the Indian Penal Code 1860 and Sections 11 and 12 of Protection of Children from Sexual Offences Act, 2012.

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

3. It is contention of learned counsel for the applicant that at the time of the incident, the victim was more than 17 years and three months old. There was a love affair between the applicant and the victim. The victim herself had gone with the applicant. The applicant has no

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antecedents. He is behind bars for 23 months. Hence, requested to allow the application.

4. It is contention of learned APP, along with learned counsel for respondent No.2 that the applicant kidnapped the victim by threatening her and sexually assaulted her. If the applicant is released on bail, he may threaten the victim and prosecution witnesses. Hence, requested to reject the application.

5. I have heard both learned counsel, perused charge-sheet and documents produced on record. It appears from the record that the police recorded the statement of the victim, and in the said statement, she has stated that she had a love affair with the applicant. At the time of the incident, the victim was 17 years old, whereas the applicant was 21 years old. The applicant is behind bars for around 23 months. He has no antecedents. It may take time to conclude the trial. Considering these facts, I pass the following order:

ORDER

- (i) The applicant be enlarged on bail in Crime No. 355 of 2024 registered with Bharati Vidyapeeth Police Station, District Pune, on executing P.R.Bond in the sum of Rs.30,000/- with one or two sureties in the like amount.

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(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.

The application is allowed in the aforesaid terms and is accordingly disposed of.

6. 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.

7. The fees of the Advocate -Mr. Chinmay Gose, who is appointed by this Court to represent respondent No.2 be paid as per the rules.

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

(SHIVKUMAR DIGE, J.)