

N.S.Kamble

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

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 1266 OF 2026

Santosh Shivaji Chaudhari

...Applicant

VERSUS

State Of Maharashtra And Anr

...Respondents

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Mr.Piyush Toshnival, for the Applicant.
Mr.S.R. Agarkar, APP for Respondent-State.
Mr.Sagar Paspole, for Respondent No.2.
Mr.D.K. Nikam, PSI, Talegaon Police Station.

CORAM : SHIVKUMAR DIGE, J.

DATE : 15th JUNE 2026

P.C. :

. Mr.Sagar Pasbole, is appointed to represent Respondent No.2.

2. The Applicant is apprehending arrest, in connection with investigation of Crime No.75 of 2026 registered with Talegaon Dabhade Police Station, Pune, for the offences punishable under Sections 75(2) and 79 of the Bharatiya Nyaya Sanhita, 2023 ('BNS' for short) and Section 12 of the Protection of Children from Sexual Offences Act, 2012, ('POCSO' for short).

3. It is prosecution's case that on 6th March 2026, the Applicant went to the house of the First Informant, age 17 years and five months, and

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demanded sexual favours from her by stating that he knew about her affair with other.

4. It is contention of learned counsel for the Applicant that the Applicant is 24 years. He is relative of the victim. The maximum punishment for the Sections applied against the Applicant is three years. Considering the allegations against the Applicant, his custodial interrogation is not required and requested to allow the Application.

5. It is contention of learned APP along with learned counsel for Respondent No.2 that the Applicant went to the house of the First Informant and demanded sexual favours from her. At the time of incident, she was below 18 years. The Applicant stays near the house of the victim. Considering the allegations against the Applicant, his custodial interrogation is required and requested to reject the Application.

6. I have heard all learned counsel. Perused FIR and documents produced on record.

7. The maximum sentence imposed for sections applied against the Applicant is three years. The victim is more than 17 years and five months old. The Applicant is 24 years old. Considering the nature of the allegations against the Applicant, no recovery is required. Hence, his custodial interrogation is not required and I pass following order.

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ORDER

- (i) The Application is allowed.
- (ii) In the event of his arrest in connection with investigation of Crime No.75 of 2026 registered with Talegaon Dabhade Police Station, Pune, the applicant shall be released on bail on executing a P.R. Bond in the sum of Rs.25,000/- with one or two solvent sureties in the like amount.
- (iii) The applicant shall attend the concerned Police Station as and when required.
- (iv) The applicant shall not enter in the area, where the victim stays till filing of charge-sheet.
- (v) The applicant shall co-operate with the Investigating Agency and shall not tamper with the prosecution witnesses/evidence.
- (vi) The Application is disposed of in the above terms.
- (vii) All pending Applications are disposed of.

(SHIVKUMAR DIGE, J.)