



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION [BA] NO. 931 OF 2025.

Shekhar Narayan Thorat.

-VERSUS-

State of Maharashtra and another.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders

Shri S.V. Sirpurkar, Advocate for the Applicant.

Shri A. Mate, A.P.P. for Non-applicant No.1.

Ms R. Mishra, Advocate [Appointed] for Non-applicant No.2.

CORAM : M.M. NERLIKAR, J.

DATE : FEBRUARY 16, 2026.

Heard.

2. The applicant came to be arrested on 11.09.2024 in connection with Crime No.415/2024 registered with Borgaon Manju Police Station, District Akola for the offence punishable under Section 64, 65[1], 351[2] of the Bhartiya Nyaya Sanhita, 2023 and Sections 4,6 and 8 of Protection of Children from Sexual Offences Act, 2012. Charge sheet in the matter is filed and Section 64[2][m] of BNS came to be added.

3. The first information report came to be lodged by mother of the victim alleging that she learnt that her daughter was pregnant and when asked, her daughter aged 14 years and 8 months informed her that since June 2024 the applicant under threat was establishing sexual relations with her.

4. The informant and victim are personally present before this Court.

5. The learned Counsel for the applicant submits that at the relevant time the victim was of 14 years and 8 months. There was love affair between the applicant and the victim. The applicant is in jail since 11.09.2024, till today no muddemal was produced before the trial Court, and charges are yet to be framed. Therefore, considering the fact that the applicant is in jail since last more than 1 year, he may be released on bail.

6. On the other hand, the learned A.P.P. opposed the application on the ground that it cannot be said that there was love affair between the applicant and the victim. The applicant was 30 years of age and the victim was of 14 years and 8 months at the relevant time. Considering the age of the

victim and the fact that there are serious allegations against the applicant, he does not deserve to be released on bail. It is submitted that there is sufficient material on record to show that the applicant is involved in serious crime of rape, and due to this act of the applicant the victim got pregnant, however, it was aborted and DNA report is awaited, he therefore prays to reject the application.

7. The learned Counsel appearing for the victim, by filing reply on affidavit submits that though there was no compromise between the parties, however, the informant and victim are having no objection to release the applicant on bail.

8. I have considered the rival submissions. Admittedly, it appears that there are serious allegations against the applicant, however, the fact remains that the applicant is in jail since 11.09.2024 and yet charges are not framed. It is pertinent to note that even the informant has filed affidavit stating that she has no objection for release of the applicant, though there is no compromise between the parties. Considering all these facts, I am inclined to grant bail to the applicant. Hence, the following order.

ORDER

- (i) Criminal Application is allowed and disposed of.
- (ii) The applicant /accused Shekhar Narayan Thorat be released on regular bail in connection with Crime No.415/2024 registered with Borgaon Manju Police Station, District Akola for the offence punishable under Section 64, 64[2][m], 65[1], 351[2] of the Bhartiya Nyaya Sanhita, 2023 and Sections 4,6 and 8 of Protection of Children from Sexual Offences Act, 2012 on his furnishing P.R. Bond of Rs.50,000/- with two sureties in the like amount.
- (iii) The accused shall not contact the informant or the victim directly or indirectly
- (iv) The accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also shall not tamper with the evidence.
- (v) The accused shall provide his residential address and cell number to Police Station concerned and shall not change his place of residence without prior intimation to the Investigating Agency.
- (vi) The accused shall attend each and every date of trial regularly. If he fails to attend the trial for a single date, or fails to comply with the aforesaid conditions, his default would entail the State to

ask for cancellation of bail.

- (vii) The above observations are prima facie in nature, and restricted for the purpose of deciding this application. The Trial Court shall not get itself influenced by said observations, during the course of trial.
- (viii) Misc. Applications, if any, are also disposed of.

JUDGE