



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

CRIMINAL APPLICATION [B.A.] NO. 1337 OF 2025

Sampat Rajanna Sindula

-- VERSUS --

State of Maharashtra and Another

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. M.A. Deo, Advocate for the Applicant.

Ms. T.H. Udeshi, A.P.P. for the Non-applicant No.1/State.

Mr. A.C. Khadse, Advocate (appointed) for Non-applicant
No.2.

CORAM : M.M. NERLIKAR, J.

DATE : JANUARY 12, 2026.

Heard.

2. The present application is filed seeking regular bail in Crime No.72/2025 for the offences punishable under Sections 137(2), 64(2)(f), 75(2), 351 and 352 of the Bharatiya Nyaya Sanhita, 2023, (BNS) and Sections 4 and 6 of the Protection of Children from Sexual Offences Act, 2012, (POCSO) registered with Soroncha Police Station, District Gadchiroli.

3. It appears that the First Information Report was registered by the mother of the victim alleging kidnapping from lawful guardianship, the victim being a minor. It further appears that during the course of investigation, it transpired that the

applicant has also committed rape, and therefore, further provisions are added along with the provisions of the POCSO.

4. The learned counsel appearing for the applicant submits that it is a love affair and the victim is at the verge of attaining majority. He further submits that the victim herself had called the present applicant and asked him to take her away, as she was fed up with the harassment meted out by the parents of the victim. Accordingly, they went away and resided for three days in the jungle and thereafter returned to the house of the uncle of present applicant wherein other family members of the uncle of applicant were present.

5. The learned A.P.P. opposed the application on the ground that the victim is minor. She further submits that the consent of the minor is no consent in the eyes of law. If the statement of the victim is considered, it could be gathered that the applicant subjected her to a forceful sexual intercourse. She submits that the applicant is residing at the place where the victim is residing, and therefore, she submits that the bail may not be granted considering the gravity of the offence.

6. The learned counsel appearing for the victim has also resisted the bail application and adopted the arguments advanced by the learned A.P.P.

Upon consideration of the rival submissions of both the parties and upon perusal of the entire charge-sheet, it appears that the victim herself has called the present applicant and asked him to take her away as she was fed up with the conduct of her parents as the parents were harassing her. It further appears from the statements that the applicant and the victim were having a love affair and out of that, the incident of sexual intercourse has occurred. Considering the age of the victim that she was of 17 years and 4 months at the time of incident, and further the applicant was arrested on 12/05/2025 and the investigation is complete and the charge-sheet is filed, I am inclined to grant bail.

7. The observations of this Court are *prima facie* in nature. The Trial Court shall not be influenced by the observations of this Court and the observations are restricted to this bail application only. In this view of the matter, following order is passed:-

ORDER

- (i) The Criminal Application is **allowed**;
- (ii) The applicant/accused (Sampat Rajanna Sindula) be released on regular bail in connection with Crime No.72/2025 registered with Sironcha Police Station, for the offences punishable under

Sections 137(2), 64(2)(f), 75(2), 351 and 352 of the Bharatiya Nyaya Sanhita, 2023, (BNS) and under Sections 4 and 6 of the Protection of Children from Sexual Offences Act, 2012, on his furnishing a P.R. bond of Rs.25,000/- with one surety in the like amount;

(iii) The applicant shall not enter in the village of Ramjapur, Tah. Sironcha, District Gadchiroli, till the conclusion of the trial;

(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 two consecutive dates, or fails to comply with the aforesaid conditions, his default would entail the State to ask for cancellation of bail.

(vii) Fees of the appointed counsel be quantified and paid as per rules.

[M.M. NERLIKAR, J]