



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

CRIMINAL APPLICATION [BA] NO. 1382 OF 2025.

Prem Mohan Lonare

-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 M. Rai, Advocate for the Applicant.
Shri A.G. Mate, A.P.P. for Non-applicant No.1/State.
Shri N. Gurnani, Advocate for Non-applicant No.2.

CORAM : M.M. NERLIKAR, J.

DATE : JANUARY 28, 2026.

Heard.

2. The applicant came to be arrested on 19.09.2025 in connection with Crime No.1282/2025 registered with Hinganghat Police Station, District Wardha for the offence punishable under Sections 64[2][i], 64[2][m] of the Bhartiya Nyaya Sanhita (BNS) and Sections 4 and 6 of the Protection of Children from Sexual Offences Act, 2012. Charge sheet in the matter is filed and Section 3[5] of BNS came to be added.

3. The informant – victim has lodged the report alleging

that she came into contact with one Akash Uike through instagram in the year 2023, and they used to frequently meet. In March, 2025 Akash proposed the victim for marriage, which she accepted and on the pretext of marriage had sexual intercourse with her. The same act was repeated by Akash in May, 2025 also, but, thereafter Akash did not turn up. Mother of the victim realized that the victim is pregnant, which was confirmed after medical examination. Accordingly the report came to be lodged on 03.09.2025. Investigation was carried out and supplementary statement of victim came to be recorded, wherein she stated name of the applicant, alleging that she came in contact with him through instagram since the year 2023. He also intended to marry the victim and on that promise established physical relation. On 09.12.2024, 21.02.2024, 02.03.2025 also they had physical relations. Apart from this, it is further alleged that in February, 2025 one Sanjay Deotale, a friend of Akash, told the victim that Aakash had come at ASK Hotel, however, the victim could not find him and it is alleged that Sanjay Deotale also had forceful intercourse with her. In June 2025, Akash called the victim and enquired whether Sanjay had sexual intercourse with her, and the victim informed about the same to

him. Thereafter in June and July, 2025 Akash again established sexual relations with the victim.

4. The learned Counsel appearing for the applicant submits that name of present applicant does not figure in the first information report. The report came to be lodged on 03.09.2025, however, in the supplementary statement of the victim dated 07.09.2025, she has implicated the present applicant, as well as one Sanjay. He further submits that the allegations are vague in nature, and no such incident had occurred. The name of the present applicant was taken after the alleged incident dated 09.12.2024 took place. He further submits that it appears from the supplementary statement, the victim has not only named the present applicant, but, one Sanjay is also named. He further submits that so far as Sanjay is concerned, identical allegations are leveled against him, and he has been granted bail by the trial Court. The applicant is in jail since 19.09.2025, and now the investigation is complete and charge sheet is filed.

5. On the other hand, the learned A.P.P. and learned Counsel appearing for the non-applicant no.2 vehemently opposes the application and invited attention to the supplementary

statement recorded by the police, wherein the victim has named the present applicant, Sanjay and Akash. So far as case of Akash is concerned, his name appears in the original report filed on 03.09.2025. However, the supplementary statement discloses name of two more persons including Akash. It is alleged in the said supplementary statement that under the pretext of marriage, the present applicant has committed the offence. The learned Counsel submits that at the time of incident of rape committed by the present applicant, the victim was of 16 years. It further appears that again on 21.02.2025 the present applicant has committed rape on the victim. They further submit that merely naming three persons that by itself is not sufficient to falsify the case of prosecution, there is every possibility that all the accused persons are involved in the serious and heinous crime. They submit that after it transpired that the victim was pregnant, she filed the first information report, however, during investigation it again transpired that even the present applicant has committed the offence of rape. Thereafter, the victim has delivered a baby girl, however, the DNA report is still awaited, and therefore, it is submitted that considering the serious nature of allegations and the victim being minor, the applicant does

not deserves to be enlarged on bail.

6. I have perused the original record, as well as the supplementary statement of the victim. In the report dated 03.09.2025, admittedly the allegations are from March 2025 to 01.09.2025 against one Akash of committing rape. She has not disclosed name of present applicant in the said report, however, for the first time when her supplementary statement was recorded on 07.09.2025, she disclosed two more names i.e. the present applicant and one Sanjay, wherein similar story was put forth that under false promise of marriage they have committed rape on the victim and she has conceived. It appears that she is not aware from whom she has conceived i.e. from Akash, Sanjay or the present applicant. It appears from the record that Sanjay, who has been named in the supplementary statement, has been granted bail by the trial Court, case of present applicant also stands on same footing, however, his application was rejected by the trial Court. Considering the above facts, coupled with the fact that investigation is complete, charge sheet is filed and the applicant is behind bars since 19.09.2025, 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 Prem Mohan Lonare be released on regular bail in connection with Crime No.1282/2025 registered with Hinganghat Police Station, District Wardha for the offence punishable under Sections 64[2][i], 64[2][m] and 3[5] of the Bhartiya Nyaya Sanhita (BNS) and Sections 4 and 6 of the Protection of Children from Sexual Offences Act, 2012 on his furnishing P.R. Bond of Rs.25,000/- with one surety in the like amount.
- (iii) The accused shall not enter within the territorial jurisdiction where the informant is residing, till the completion 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

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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