

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION NO.217 OF 2026

Manohar Shrawan Aade

..VS..

State of Maharashtra and anr.

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

Court's or Judge's orders

Shri Ranjeet Singh V. Gahilot, Advocate for the applicant.

Shri A.R. Chutke, APP for the State.

Ms Sakshi Pathak, Advocate for non-applicant no.2(appointed.).

CORAM: M.M. NERLIKAR, J.

DATE : 23.03.2026.

It is informed by the learned APP that the victim was served through the Investigating Officer on 07.03.2026, however none appeared for the victim.

2. Therefore, Advocate Ms Sakshi Pathak is hereby appointed to represent the non-applicant no.2/victim.

3. Accordingly, she seeks time till afternoon and request to take the matter in the 2nd half.

Later on at 2.30 p.m.

4. Heard

5. By way of this application, the applicant is seeking bail in connection with Crime No.509 of 2025 registered with Ner Police Station, District Yawatmal for the offence punishable under Sections 74 and 75(3) of the Bharatiya Nyaya Sanhita and Sections 8 and 12 of the Protection of Children From Sexual Offences Act, 2012.

3. The informant/victim has lodged the report alleging that on 17.09.2025, when she along with two

minor girls were waiting for the bus to go to Darwha, the applicant came there and started exhibiting his private part by lowering his pant and also made sexual remarks towards them thereby outraging their modesty.

4. Learned Counsel for the applicant submits that at the time of incident, the applicant was in drunken condition when he committed the offence. The act of the applicant was unintentional since the applicant does not know the victim girl. The applicant was under the influence of liquor and not in his conscience as even after the arrival of parents of the victim and other girls, who were called at the place of incident, the applicant was doing the same act. The applicant is behind bars since 17.09.2025, investigation is complete and charge-sheet is also filed. No purpose would be served by keeping the applicant behind the bar, hence the applicant prayed to be enlarged on bail.

5. On the other hand, learned APP and learned appointed Counsel vehemently opposed the application on the ground that the applicant has made obscene gesture at public place by lowering his pant and showing his private part. The victim and other girls, who were witnesses to the said incident, were college going students. Even after the arrival of the parent of victim and other girls, the applicant did not stop his obscene gesture. Therefore, the application deserves to be rejected.

6. I have considered the rival submissions and perused the record. It appears that the applicant, at public place made obscene gesture and showed his

private parts to victim and her friends. It is further to be noted that even-after parents of victims arrived at the spot of incident, the applicant was continued with obscene activity. Therefore, one thing is clear that applicant was in heavy influence of liquor and therefore, not able to understand and to know the consequences of what he is doing. Further even informant, other victims and applicant are also not known to each other. Under such circumstances and considering the fact that the applicant is behind bars since 17.09.2025 and as the investigation is complete and charge-sheet is filed, I am inclined to enlarge the applicant on bail. Hence, the following order :

- (a) The application is allowed.
- (b) The applicant Manohar Shrawan Aade in connection with Crime No.509 of 2025 registered with Ner Police Station, District Yawatmal be released on bail on furnishing P.R. bond of Rs.50,000/- with one or two sureties in the like amount.
- (c) The applicant 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.
- (d) 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.

- (e) The applicant shall not commit any similar type of offence.
 - (f) 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.
7. The observations are *prima facie* in nature and the Trial Court shall not be influenced by the same .
8. All Misc. application(s), pending if any, shall stands disposed of accordingly.
9. Fees of the appointed Counsel be paid as per rules.

(M.M. NERLIKAR, J.)

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