

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

CRIMINAL APPLICATION NO. 283 OF 2026

Homeshwar s/o Kachru Bagde

..VS..

State of Maharashtra

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

Court's or Judge's orders

Shri M.P. Suryawanshi, Advocate for the applicant.
Ms T.H. Udeshi, APP for the State.

CORAM: M.M. NERLIKAR, J.

DATE : 18.03.2026.

Heard.

2. By way of this application, the applicant is seeking bail in connection with Crime No. 212 of 2023 registered with Saoner Police Station, District Nagpur for the offence punishable under Sections 376, 376(2)(f) of the Indian Penal Code.

3. The FIR has been lodged by the mother-in-law alleging rape on her by the present applicant on 18.03.2023 at mid-night after a quarrel took place between her daughter and the present applicant. Learned Counsel for the applicant submits that as there was dispute between the daughter of the victim (wife of the applicant) and the applicant, the applicant is falsely implicated in the present crime. Since many years they are residing adjacent to each other and therefore, in order to take revenge, false FIR came to be lodged. The applicant is in jail since 18.03.2023 i.e. almost three years, however till today charges are not framed and therefore, the applicant prayed to be enlarged on bail.

4. On the other hand, learned APP vehemently opposes the application submitting that the mother-in-law was 75 years of age at the time of incident. The applicant under the influence of liquor has committed rape on his mother-in-law. The allegations are supported by the medical report and also the applicant has admitted that under the influence of liquor, he did the said act. As there is ample material against the applicant, he may not be released on bail.

5. I have considered the rival submissions and perused the record. It appears that there was a quarrel between the applicant, informant and her daughter (wife of the applicant) before the incident. The applicant and daughter of the informant since two years were separated however they used to reside adjacent to each other. The applicant is in jail since 18.03.2023 and till today, charges are not framed. Therefore, no purpose would be served by keeping the applicant behind bar. Therefore, I am inclined to enlarge the applicant on bail on certain terms and conditions. Hence, the following order

- (a) The application is allowed.
- (b) The applicant Homeshwar s/o Kachru Bagde in connection with Crime No. 212 of 2023 registered with Saoner Police Station, District Nagpur 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 entered into the vicinity of Sarvodaya Nagar, Saoner, Tq. Saoner, District

Nagpur.

- (d) 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.
 - (e) 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.
 - (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.
6. All Misc. application(s), pending if any, shall stands disposed of accordingly.

(M.M. NERLIKAR, J.)

Trupti