



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

Criminal Application (BA) No.312/2026

Subhash s/o Khushabrao Lande (In Jail)

Vs.

State of Maharashtra and another

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Mr. M.A.Deo, Advocate for applicant.
Ms. P.C.Bawankule, A. P. P. for non-applicant no.1.
Ms. Vrushali Mohod, Advocate (Appointed) for the Victim.

CORAM: M. M.NERLIKAR, J.

DATE : 01/04/2026.

1. Heard Mr. M.A.Deo, learned counsel for the applicant, Ms.PC.Bawankule, learned APP for non-applicant no.1 and Ms. Vrushali Mohod, learned counsel for the non-applicant no.2-Victim.

2. The case of prosecution against the applicant is that as per the statement of the Victim, she is studying in 10th standard at an Ashram School at Mulchera, District Gadchiroli. The applicant used to teach English and Geography subjects in the said Ashram School. While teaching, the applicant used to pinch the cheeks, waist and press the shoulders of the Victim, without any reasonable cause. On the basis of the statement of the Victim and other girls of the said school, the Police Station Officer, Police Station, Mulchera registered FIR No.22/2026 on 10.2.2026 for the offences punishable under Sections 75(2), 118(1), 115(2), 351 (2), 351(3) and 3 (5) of the Bhartiya Nyaya Sanhita, 2023, Sections 12 and 42 of the Protection of Children from Sexual Offences Act, Section 75 of the Juvenile

Justice (Care and Protection of Children) Act, 2015 and Section 3(2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 against the applicant.

3. The learned counsel for the applicant submits that the allegations made against the applicant are totally false as they are being made with some ill intention. He further submits that these allegations are only made in respect of incident dated 7.2.2026 wherein another Teacher of the Ashram School was involved against whom the allegations are levelled in respect of assaulting the students. Even if the allegations are perused, it nowhere suggests that the applicant was having any intention to do such act. He submits that the maximum punishment provided for the offences is three years and therefore, according to him, as the applicant is behind bars since 10.2.2026 and the investigation is almost complete, therefore, he be released on bail.

4. On the other hand, the learned APP for the non-applicant no.1 and the learned Advocate for the Victim/non-applicant no.2 vehemently oppose the application for grant of bail and submit that the incident has taken place at an Ashram School. They further submit that there are near about 24 Victims, who have given statements against the applicant stating that the applicant used to pinch the cheeks, waist and press the shoulders of the Victims. They further submit that considering the fact that the Victims are of tender age and the behaviour of the applicant is objectionable and merely that the punishment provided for the offence is three years the applicant ought not to be released on bail.

5. I have considered the rival submissions.

6. I have gone through all the statements wherein identical allegations are made against the applicant i.e. pinching of the cheeks, waist and pressing of the shoulders of Victims. Apart from that, there are no other allegations. The statements demonstrate two sets of allegations against two Teachers of the Ashram School. Admittedly, it appears from the First Information Report that one incident took place on 7.2.2026, wherein the students studying in 7th standard have been beaten by Teacher Sandip Fad, due to which all the students created hue and cry and further it appears that uproar of all the students resulted into making allegations against the present applicant also. No doubt, there are allegations against the applicant, however, perusal of the statements of the Victims would demonstrate that allegations are in respect of pinching of the cheeks, waist and pressing of the shoulders of the Victims.

7. The fact remains that the maximum punishment provided for the alleged offences even if it is presumed to be true is three years. The applicant is behind bars since 10.2.2026.

8. Considering the nature of allegations and the fact that the applicant is behind bars and the investigation is almost over, I am inclined to grant bail. Hence, the following order:-

ORDER

- (i) Criminal Application is allowed and disposed of.
- (ii) The applicant Subhash s/o Khushabrao Lande be released on regular bail in connection with Crime No.22/2026 for the offences punishable under Sections 75(2), 118(1), 115(2), 351(2), 351(3) and 3 (5) of the Bhartiya Nyaya Sanhita, 2023, Sections 12 and 42 of the Protection of

Children from Sexual Offences Act, Section 75 of the Juvenile Justice (Care and Protection of Children) Act, 2015 and Section 3(2) (va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 on his furnishing PR. Bond of Rs. 25,000/- with one surety in the like amount.

(iii) 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.

(iv) The accused shall provide his residential address and cell number to concerned Police Station and shall not change his place of residence without prior intimation to the concerned Investigating Officer.

(v) The applicant/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 entails the State to ask for cancellation of bail.

(vi) The applicant shall not enter the concerned Ashram School till filing of the Charge-sheet.

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

(M.M.NERLIKAR, J.)