



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

CRIMINAL APPLICATION [BA] NO.414 OF 2026.

Bhaskar Mahadeo Haramkar

-VERSUS-

The 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 J.B. Gandhi, Advocate for the Applicant.
Ms S.N. Thakur, A.P.P. for Non-applicant No.1/State.
Non-applicant No.2 Served.

CORAM : M.M. NERLIKAR, J.

DATE : APRIL 18, 2026.

Heard.

2. The applicant came to be arrested in connection with Crime No.7/2017 registered with Shivaji Nagar Police Station, Khamgaon, District Buldhana for the offence punishable under Section 354-A of the Indian Penal Code and Section 12 of the Protection of Children from Sexual Offence Act. Charge sheet came to be filed and Section 354-A[II] of the Indian Penal Code came to be added.

3. The first information report in the matter came to

be lodged by Smt.Kusumbai Sathe, alleging that on 07.01.2017 when she was present in her house, her grand daughter Namrata came back from school early at 11.00 a.m. and was sitting outside. At about 12.30 p.m. she came inside the house in a frightened condition and told the informant that the applicant had indulged into an indecent act (obscene act). Therefore, the report.

4. The learned Counsel for the applicant submits that the applicant was granted bail in the year 2017 itself by the trial Court, however, as he was not able to attend the trial, since he was required to go to Pune to earn his livelihood, the learned trial Court has issued a non-bailable warrant against him, and he came to be arrested on 06.02.2025 and is behind bars since then. He submits that the applicant undertakes that he would attend each and every date of trial and will not commit a single default, he will also not seek any adjournment, hence, one chance be granted by releasing the applicant on bail.

5. The learned A.P.P. has vehemently opposed the application by submitting that the trial is pending since 2017

and it is only due to the applicant that the trial could not be concluded. If the applicant is released, there is every apprehension that again the trial would be delayed, and therefore, prayed for rejection of the application.

6. I have heard the rival contentions of the parties and gone through the material placed on record. No doubt the trial is pending since 2017. It is also a matter of record that a non-bailable warrant came to be issued, the applicant came to be arrested and is behind bars. The application filed by the applicant before the trial Court was rejected recording that much effort was taken to execute the non-bailable warrant. However, considering the fact that the applicant has undertaken to attend each and every date of trial and not seek any adjournment, I am inclined to grant bail. Hence, the following order.

ORDER

- (i) Criminal Application is allowed and disposed of.
- (ii) The applicant /accused Bhaskar Mahadeo Haramkar be released on regular bail in connection with Crime No.7/2017 registered with Shivaji Nagar Police Station, Khamgaon,

District Buldhana for the offence punishable under Section 354-A, 354-A [II] of the Indian Penal Code and Section 12 of the Protection of Children from Sexual Offence Act on his furnishing P.R. Bond of Rs.50,000/- with two sureties 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 Police Station concerned and shall not change his place of residence without prior intimation to the Investigating Agency.
- (v) The accused shall attend each and every date of trial regularly. If he fails to attend the trial for one single date, or fails to comply with the aforesaid conditions, his default would entail the State to ask for cancellation of bail.
- (vi) 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.
- (vii) Misc. Applications, if any, are also disposed of.

JUDGE