



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

CRIMINAL APPLICATION (BA) NO. 454/2026

Arvind Shriram Jadhav (Presently at District Prison, Washim) .Vs. State of
Maharashtra through PSO PS. Pusad (Rural), Dist. Yavatmal and anr.

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

Court's or Judge's orders

Mr. R. M. Daga, Advocate for applicant.

Mr. V. A. Thakare, A.P.P for non applicant No.1-State.

Ms S. H. Bhagar, Advocate for non applicant No.2.

CORAM : M. M. NERLIKAR, J.

DATE : APRIL 20, 2026.

Heard Mr. R. M. Daga, learned counsel for applicant,
Mr. V. A. Thakare, learned A.P.P for non applicant No.1 and
Ms S. H. Bhagat, learned counsel for non applicant No.2.

2. The applicant was arrested for offences punishable under Sections 64, 333, 352 (2), (3) of the Bhartiya Nyaya Sanhita, 2023 ("BNS") and Sections 4, 8 and 12 of the Protection of Children From Sexual Offences Act, 2012, registered with Police Station Pusad (Rural), District Yavatmal, bearing Crime No.783/2025.

3. As per the allegations in the First Information Report ("FIR") dated 26.12.2025, lodged by the victim, who was aged about 17 years and 11 months, on 17.09.2025 at about 01:00 p.m., applicant established forceful sexual relations with her, resulting into pregnancy. Based on these allegations, FIR was lodged.

4. Learned counsel for applicant submits that the applicant is cousin uncle of the victim. The victim was more

than 17 years and 11 months old at the relevant time. It is alleged that the applicant had sexual intercourse with the victim. However, now the victim is major and the matter is settled between the parties. An affidavit of the victim to that effect is also filed record. He further submits that marriage of the victim is settled and she is going to marry in the next week. Considering the aforesaid, the applicant be released on bail.

5. On the other hand, learned A.P.P. vehemently opposed the application and submits that the very fact of filing of affidavit by the victim thereby giving no objection to grant bail to the applicant, itself shows that the victim is being pressurized by the relatives. The applicant is the cousin uncle of the victim and was aged about 37 years at the time of incident. Learned A.P.P. further submits that considering this position and the fact that applicant has committed rape on the victim as narrated in the FIR, the applicant does not deserve to be granted bail.

6. Learned counsel for the victim has relied upon the affidavit-in-reply of the victim and submits that the victim has no objection, if the applicant is released on bail.

7. I have gone through the record and the arguments advanced by learned counsel for the parties. It appears that the FIR was registered on the basis of the report lodged by the victim, who was aged about 17 years 11 months. The victim reported that on 17.09.2025 at about 01:00 p.m., her cousin uncle came to her house. There was no one present in the house. He closed the door and committed sexual intercourse with the victim. It is further submitted that out of the said act,

the victim became pregnant. However, it appears that at a later point of time, the foetus was aborted.

8. Considering the fact that the victim is now major, she has filed an affidavit giving no objection for release of the applicant on bail, coupled with the fact that the applicant is behind the bars from 26.12.2025 and as the investigation is over and charge-sheet is filed, I am inclined to grant bail. Hence, the following order is passed.

ORDER

- (i) The application is allowed and disposed of.
- (ii) Applicant – Arvind Shriram Jadhav be released on regular bail in connection with Crime No.783/2025 registered with Police Station, Pusad (Rural), District Yavatmal, for the offences punishable under Sections 64, 333, 352 (2)(3) of the Bhartiya Nyaya Sanshita, 2023 and under Sections 4, 8 and 12 of the Protection of Children From Sexual Offences Act, 2012, on his furnishing P.R. Bond of Rs.50,000/- with two sureties in the like amount.
- (iii) The applicant shall not enter within the territorial jurisdiction of village Jambazar, Tq. Pusad, Dist. Yavatmal, where the informant is residing, till the completion of the trial.
- (iv) The applicant shall not, in any way, make a contact with the victim before or even after her marriage.
- (v) 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.
- (vi) The applicant 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.

(vii) The applicant 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.

(viii) 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.

(JUDGE)

Kahale