



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

CRIMINAL APPLICATION [B.A.] NO. 462 OF 2026

Sumit Ganesh Meshram

-- VERSUS --

State of Maharashtra and Another

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 the Applicant.

Ms. S.Z. Haider, A.P.P. for the Non-applicant No.1/State.

Ms. Sakshi Tiwari, Advocate (Appointed) for the Non-applicant No.2.

CORAM : M.M. NERLIKAR, J.

DATE : MAY 05, 2026.

Heard.

2. The present application is filed seeking regular bail in Crime No.315/2025 for the offences punishable under Sections 64, 64(2)(f), 64(2)(m) and 65 of the Bharatiya Nyaya Sanhita, (BNS) 2023, Sections 4 and 6 of the Protection of Children from Sexual Offences (POCSO) Act, 2012, registered with Police Station Bramhapuri, District Chandrapur.

3. The informant, residing at Brahmapuri, District Chandrapur, reported that her minor daughter aged 13 years was acquainted with Sumit since 2023. The victim disclosed that on 12/06/2025, the accused took her to a secluded place near a canal

on the pretext of marriage and allegedly had physical relations with her without her consent, and similar acts were repeated on 16/06/2025 and 19/06/2025. Thereafter, the informant, along with the victim and a relative, approached Brahmapuri Police Station and lodged the present First Information Report.

4. The learned counsel for the applicant submits that no such incident took place as alleged in the First Information Report. He submits that, under the pressure of her mother, the victim has given statement to the Police. The F.I.R was registered by the mother, wherein allegations of rape against minor victim, who is aged about 13 years has been made. He invited my attention to the history narrated in the hospital, wherein victim has stated that, she is having love affair with the applicant and out of that love affair sexual intercourse took place. He further invited my attention to the say filed by the victim herself before the trial Court, wherein she has given consent to grant bail to the applicant and also stated that there was no sexual intercourse between them, however, as both the families are not on good terms, the victim under the pressure from her mother was required to file the F.I.R. Considering the entire facts, he submits that the applicant be released on bail.

5. On the other hand, the learned A.P.P. and the learned counsel appearing for the victim vehemently opposes the application and submits that the victim is minor aged 13 years. The applicant is a married person who is aged about 26 years. They further submit that under the pretext of marriage, the applicant has committed sexual intercourse with the minor victim. So as to substantiate the above, reliance is placed on the statement of the victim, wherein she has stated that the applicant had sexual intercourse with her on two occasions. Considering this fact, the applicant does not deserve bail.

6. I have considered the rival submissions. No doubt, so far as the age of the victim is concerned, she seems to be of 13 years of age. It is further to be noted that the F.I.R. was registered by the mother of the victim, however, considering the say filed before the Court by the victim, wherein she has specifically stated that, there was no sexual intercourse and the applicant has been falsely implicated due to strained relations between both the families, I am inclined to grant bail by imposing stringent conditions. Hence, the following order:-

ORDER

(i) The Criminal Application is
allowed;

(ii) The applicant/accused (Sumit Ganesh Meshram) be released on regular bail in connection with Crime No.315/2025 for the offences punishable under Sections 64, 64(2)(f), 64(2)(m) and 65 of the Bharatiya Nyaya Sanhita, (BNS) 2023, Sections 4 and 6 of the Protection of Children from Sexual Offences (POCSO) Act, 2012, registered with Police Station Bramhapuri, District Chandrapur, on his furnishing a P.R. bond of Rs.50,000/- (Fifty Thousand Rupees) with two solvent sureties in the like amount;

(iii) The applicant shall not enter into the vicinity of Nanhori, Tahsil Bramhapuri, District Chandrapur;

(iv) 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;

(v) 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;

(vi) 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;

(vii) Fees of the appointed counsel be quantified and paid as per rules;

(viii) Pending Misc. Application(s), if any, also stand disposed of.

[M.M. NERLIKAR, J]