

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE, YEOLA,
DIST – NASHIK
(Presided over by Shri. M. I. Lokwani)**

Special Case No. 30 of 2025
(CNR NO. MHNS270005402025)

Arman Khan Nasim Khan, Age-21 yrs, **Applicant**
R/o-Taj Park, Tal-Yeola, Dist-Nashik.

VERSUS

State of Maharashtra, **Respondent**
Through-PI.City **Police Station**, Yeola.
(Crime No.252/2025)

Appearance :

Ld. Adv. S. S. Shaikh, for the Applicant/Accused.

Ld. APP S. B. Sarode for the Respondent/State.

ORDER BELOW EXH. 8
(Delivered on 29th of October, 2025)

1. This application is filed by applicant **Arman khan Nasim khan** for bail under Section 483 of BNSS in connection with crime No.252 of 2025 registered at Yeola City Police Station, Yeola under Ss.74,75,78(2),351(2),351(3) of Bhartiya Nyay Sanhita and under Sec.8 and 12 of POCSO Act.

Brief facts of the prosecution case is as under :

2. It is alleged by the informant (victim's mother) in FIR that, she is residing in Yeola, as per the address mentioned in complaint. The victim ABC is her minor daughter of 13 years studying in 9th Standard in a D. Paul High School at Yeola. It is alleged that for two years applicant harasses a lot her minor

daughter by making obscene remarks, repeated follow her after school and tuition hours. He threatens other children in school and sends message to her and tried to convince her luring some children in school etc. To convince the victim, applicant had shown her friends money, gifts and defamed her by saying that he was having an affair with the victim. Applicant has shown gifts and party favors to the boys of her class Shaurya Kukar, Rudra Mali and other students. He also gave threat to them to kill or beat them. Informant tried to give understanding to the applicant, but there is no improvement in his behavior. It is further alleged that from 3.6.2023 applicant giving trouble to her minor daughter, it is alleged that on 25.07.2025 applicant was waiting outside of the victim's school, on that day he saw victim and made obscene jokes and touched her badly. He has been threatening to victim ABC in various way to have a relationship (संबंध ठेवण्यासाठी) with him and has been repeatedly chasing her and harassing her, threat to kill her and her other friends and offers gifts by showing them various lures to convince victim. It is alleged by the informant that due to aforesaid acts of the applicant, mental health of victim is deteriorating and seriously affected on her studies and now she is scared. Hence, informant approached to Yeola City Police Station and lodged the report. On the basis crime No.252 of 2025 registered against the applicant.

3. Learned advocate of applicant submitted that applicant is innocent and has not committed the alleged offence. On

suspicious ground false allegations made against the applicant. Investigation is completed, charge-sheet has been submitted in the Court. Applicant is in judicial custody from the date of arrest. Now nothing is remained to recover or discover from the applicant. There is no direct evidence against the applicant. Applicant is student and studying in college. He has not committed any kind of offence. False allegation made against him. Applicant is ready to abide any conditions imposed on him. On Exh.18 father of applicant filed undertaking and submitted that he will kept applicant outside of Yeola and abide all the conditions imposed by the Court. Lastly prayed for the applicant may kindly be released on bail.

4. On the other hand, learned APP raised strong objection in view of say/reply vide Exh.9 and submitted that applicant/accused has molested the minor who is daughter of the complainant/informant by making obscene remarks and by bad-touch. The said crime is a very serious form of sexual assault and since the victim is a minor, it is a more sensitive crime. If the accused comes out, law and order may be disturbed. If he released on bail then he will repeat similar kind of offence or will pressurize the complainant and witnesses or there is also possibility that applicant will abscond. Lastly prayed to reject the application.

5. Advocate of victim filed reply at Exh.17 and submitted that the statement of victim recorded under Sec. 183 of BNSS. It is

submitted that applicant can have access to the incriminating electronic record and he may create morph images etc., and propagate them on social media by which serious damage will cause to the dignity, reputation of the victim. Victim and informant also raised objection in view of Exh.15 and 16 and submitted that if applicant released on bail there is possibility to give threat to the victim and will tamper the prosecution evidence. They raised strong objection to release the applicant on bail. Lastly, they prayed to reject the application.

6. Considering the submissions of both sides and gone through record, it appears that earlier bail application bearing No.175/2025 rejected on the ground that investigation is ongoing but now investigation is completed, charge-sheet is submitted in the Court. Statement of witnesses and victim recorded under Sec.183 of BNSS. Paper of charge-sheet discloses that no any section or provision of I.T. Act added against the applicant. Mobile of applicant already seized and sent to Forensic Lab, Nashik. One Pend Drive of 64 GB seized by the police which is handed over by the father of applicant. Now, nothing is remain to recover or discover from the applicant. Offence under Sec.8 and 12 of POCSO Act deals with punishment for sexual assault which may extent to 5 years and punishment for sexual harassmt which may extent to 3 years. Therefore, the allegations against the applicant regarding sexual assault and harassmt those are not grave and severe. There is no allegations regarding sexual offence against the

applicant. Moreover, at Exh.18 undertaking is placed on record which disclosed that applicant will remained outside of Yeola and also ready to abide any condition imposed by the Court. Prosecution failed to demonstrate criminal antecedents against the applicant. To detain the applicant for further custody will not serve any purpose. Therefore, it will be proper to release him on bail. The apprehension raised by the Ld. APP, informant, victim can be taken care by imposing strict conditions upon the applicant. In view of aforesaid reasons and discussion present application deserves to be allowed on following conditions.

ORDER

- 1 Bail application Exh.8 of applicant/accused **Arman Khan Nasim Khan** in Special Case No.30 of 2025 registered with respondent/City Police Station, Yeola under Ss.74,75,78(2),351(2),351(3) of Bhartiya Nyay Sanhita and under Sec.8 and 12 of POCSO Act, **is allowed.**
- 2 **Arman Khan Nasim Khan** be released on bail on his executing a personal bonds of Rs. 50,000/- with surety in like amount.
- 3 Applicant shall attend the trial regularly till its conclusion unless his presence is exempted by the Court.
- 4 Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer to tamper with the evidence.
- 5 Applicant shall furnish his permanent address and provide mobile number to the I.O./Court.

- 6 Applicant shall not communicate to the informant and witnesses and shall not give threat in any manner till conclusion of the trial.
- 7 He shall follow the undertaking as per Exh.18 dated 29.10.2025.
- 8 He shall not viral any photographs or video of victim, if any, directly or indirectly on Social Media in any manner.
- 9 Copy of this order be sent to the Superintendent, Central Jail, Nashik-Road, Nashik by e-mail for necessary information.
- 10 If any of the above condition violates by the applicant, prosecution may seek for cancellation of bail.
- 11 In the above terms, Exh.8 bail application in Spl Case No. 30 of 2025 stands disposed off accordingly.

(Dictated and pronounced in open Court.)

Place: Yeola(Nashik)

Date : 29.10.2025

(M. I. Lokwani)

Additional Sessions Judge, Yeola.