



ORDER BELOW EXH. NO. 1 IN
CRIMINAL BAIL APPLICATION NO. 163/2026

(Adarsh Sayaji Jadhav & Anr. Vs. State of Maharashtra)

1. Perused the application, say of prosecution (Exh.7) and documents. Heard Ld. Counsel Shri. P. M. Gavali for the applicant and Ld. APP Shri. A. N. Kulkarni for the State on the point of anticipatory bail to accused namely; Adarsh Sayaji Jadhav and Somnath Balaso Jadhav involved in crime No.104/2026 for offences punishable under Sections 137(2), 138, 64(2)(m), 3(5) of Bharatiya Nyaya Sanhinta, 2023 and Sections 4, 6, 8, 17 of the Protection of Children From Sexual Offences Act registered at Vita Police Station.

2. On perusal of contents in FIR, it reveals that the informant is father of the victim girl having age of 17 years 10 months. On 08/03/2026 at 12-05 a.m., the informant and his family members had slept in their house in village Mahuli Tal. Khanapur Dist. Sangli and at that time, the victim left home by saying that she was going for urination, but she did not return. The informant and his relatives searched her in Mahuli village and surrounding area. Therefore, he suspected that the victim might have been kidnapped by someone. During investigation, it is revealed that accused No.1 had eloped the victim with the help of accused No.2 and they had taken her to West Bengal. Accused No.3 and 4 made residence available to accused No.1 and the victim. Subsequently, it is found that accused No.5 and 6/present applicants had assisted accused No.1 during his stay with the victim in West Bengal. It is also revealed that accused No.1 and the victim in crime No.101/2026 had also eloped with accused No.1 and the victim in the present crime. Similar role is played by accused No.2

to 5 in crime No.101/2026.

3. The applicants have sought anticipatory bail on grounds that they are innocent and they have been falsely implicated in the offence. They have not committed any offence. The allegations against applicants are entirely distinct from the allegations leveled against the main accused. The allegations of kidnapping, inducement and sexual assault are exclusively against accused No.1. The only allegation against applicant No.1 is that he has made several phone calls to main accused within alleged period. The only allegation against applicant No.2 is that he allegedly helped the main accused in the commission of offence. There is no material to show that applicants have common intention in commission of offence. The co-accused have already been released on regular bail. The allegations and role attributed to the co-accused and present applicant is substantially similar. Therefore, the applicant is entitled to be released on bail on the ground of parity. The prosecution case primarily rests upon the statements of the victim and other witnesses. The custodial interrogation of the present applicants/accused is not necessary. The applicants/accused are permanent place of residence. The applicants/accused have deep roots in society and there is no possibility of their fleeing from justice. They prayed for anticipatory bail.

4. Ld. Counsel Shri. P. M. Gavali for the applicants/accused reiterated above grounds of bail in the course of his arguments. On the contrary, Ld. APP Shri. A. N. Kulkarni for the State submitted that the accused may tamper with prosecution witnesses. He also narrated particulars of prosecution version and strongly opposed for anticipatory bail application.

5. Considering rival submissions and material on record, it

appears that the victim herself joined company of accused No.1. Considering material on record and age of the victim, she appears to have love relations with accused No.1. In such circumstances, the victim herself seems to have taken decision to leave her residence. Prosecution has almost completed investigation. Physical custody of the present applicants/accused is not required.

6. Considering discussion made in earlier order dated 31/07/2026 and contents in reply filed by prosecution, there is nothing to deviate from earlier reasons recorded while granting ad-interim anticipatory bail and to take different view. For this reason, elaborate discussion is not warranted. Ad-interim anticipatory bail granted to the applicants vide order below Exh.5 dated 31/07/2026 can be confirmed. Hence, I pass the following order.

: ORDER :

1. Cri.B.A. No.163/2026 is allowed.
2. Ad-interim anticipatory bail granted vide order below Exh.5 dated 31/07/2026 to applicants/accused namely; Adarsh Sayaji Jadhav and Somnath Balaso Jadhav involved in crime No.104/2026 for offences punishable under Sections 137(2), 138, 64(2)(m), 3(5) of Bharatiya Nyaya Sanhita, 2023 and Sections 4, 6, 8, 17 of the Protection of Children From Sexual Offences Act registered at Vita Police Station is hereby confirmed on the same terms and conditions.
3. Cri.B.A. No.163/2026 is disposed of accordingly.

Vita
dt.13/08/2026.

(R.R. Bhagwat)
Additional Sessions Judge, Vita

<u>CERTIFICATE</u> I affirm that, the contents of this PDF File Order are same, word to word, as per the original order.	
Name of Stenographer	G.S.Parve (Grade - I)
Name of Court	District Judge – 1 & Additional Sessions Judge, Vita
Date of Order	13/08/2026
Order signed by the Presiding Officer	13/08/2026
Order uploaded on	13/08/2026