

MHNG010051162025



Spl.Case No.273/2025 (State of Maharashtra V/s.Sanjay Piyam)

Applicant/ : Sanjay Thamas Piyam
Accused Aged about 27 years, Occ.Labour
R/o Ward No.1, Village Chicholi,
Tahsil Saoner, District Nagpur.

Versus

Non Applicant : State of Maharashtra,
Through Police Station Officer,
Police Station Khaparkheda, District Nagpur.

Order Below Exhibit -40

(Passed on 11th day of August, 2026)

- 1) This application has been filed by applicant/accused namely Sanjay Thamas Piyam under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for grant of regular bail in connection with Crime no.107/2025 registered against him at Police Station Khaparkheda, Nagpur for the offence punishable under Section 64(2)(i)(f)(j) and 65(2) of the Bhartiya Nyaya Sanhita, 2023 read with Section 4 and 6 of the POCSO Act.
- 2) It is the case of prosecution that informant is mother of the victim. Accused is her husband. Informant alleged that on 15.02.2025 she went to work with her sister-in-law. At about 6.00 p.m her sister-in-law received phone call of her mother-in-law. She called them to return immediately. When she returned to her home the accused locked door from inside. Her sister-in-law peeped inside the room at that time the victim was with the accused. On inquiry victim stated that accused removed her pant and inserted his finger in her private part. She verified this fact and found that there was

redness near her private part. On such allegations police registered crime against the accused having crime no.107/2024 for the offence punishable under section 64(2)(i)(f)(j),65(2) of BNS and Section 4 and 6 of POCSO Act. Accused was arrested by police. After investigation charge-sheet has been filed.

- 3) It is contention of the accused that due to dispute between husband and wife informant falsely implicated accused in this case. Medical examination of the victim also do not support allegations. Material witnesses are examined. Therefore, prima facie there is no possibility of tampering evidence of the prosecution. Hence, prayed for grant of bail.
- 4) The learned APP and I.O opposed the application on the ground that offence is serious. Case is likely to be concluded very soon. Hence, prayed for rejection of application.
- 1) In view of submissions from both sides and on perusal of the record of the case prosecution has examined four witnesses including informant and the victim. Therefore, now there is no possibility of tampering of evidence of other witnesses. Informant and victim have not supported case of prosecution. In such circumstances, I am of the opinion that further detention of accused is not required for any purpose. Hence, I pass following order.

ORDER

- 1] The application is allowed.
- 2] The applicant/accused namely Sanjay Thamas Piyam be released on bail in connection with Crime no.107/2025 registered against him at Police Station Khaparkheda, Nagpur for the offence punishable under Section 64(2)(i)(f)(j) and 65(2) of the Bhartiya Nyaya Sanhita, 2023 read with Section 4 and 6 of the POCSO Act on his furnishing P.B. of

Rs.30,000/- (Rupees Thirty Thousand only) with one or more sureties in the like amount.

- 3] The applicant/accused shall not tamper with the prosecution evidence in any manner.
- 4] The applicant/accused 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 them from disclosing such facts to the Court or to any police officer.
- 5] The applicant shall not commit similar crime while on bail.
- 6] Copy of release letter be given hamdast after furnishing surety.

Place : Nagpur.
Date : 11.08.2026

(Ajay A. Kulkarni)
Additional Sessions Judge-11,
Fast Track Special Court/
POCSO Court,
Nagpur.

C E R T I F I C A T E

I affirm that the contents of this P.D.F. file of order are word to word, as per original order.

Name of Stenographer : V.S.Naredwar (Grade-I)