



**IN THE COURT OF SESSION AT GREATER BOMBAY
BAIL APPLICATION POCSO NO. 708 OF 2026
IN
REMAND APPLICATION NO. 917 OF 2026
(CNR NO. MHCC020111302026)**

Ansh Umesh Shah	)	
Age - 24 years, Self Employed,	)	
Residing at : Pragati Chawl, Near Panchavati	)	
Bakery, Makkawadi, Antop Hill, Mumbai-37.	)	... Applicant/ Accused

Versus

The State of Maharashtra	)	
(Through Antop Hill Police Station)	)	... Respondent

Appearances :

Ld. Adv. Govind Zaveri a/w Adv. Kirti Choubey for applicant/accused.
Ld. SPP. Smt. Jyoti Sawant for State / Respondent.

**CORAM : HER HONOUR DESIGNATED SPECIAL JUDGE
UNDER POCSO ACT, SMT. SUREKHA A. SINHA
(C.R. NO. 36)**

DATED : 03.08.2026

ORDER

The accused **Ansh Umesh Shah** moved this application under Section 483 of BNSS for granting regular bail, in Crime No. 369 of 2026 registered with Antop Hill Police Station for the offences punishable under Sections 137(2), 75, 64(1), 64(2)(i), 64(2)(m) of BNS and under Sections 4, 6, 8, 12 of POCSO Act by stating that in the said matter, he is arrested on 24.06.2026. He has submitted that he is falsely implicated

in the present matter, he is innocent and not committed any offence. It is an admitted position that the victim had voluntarily left her residence and subsequently returned home on her own. Accused and victim were known to each other solely on account of long standing family relations. The complainant and the parents of the victim have voluntarily executed an affidavit-cum-declaration acknowledging that the allegation arose owing to fear, distress and misunderstanding and that they have no objection to the accused being enlarged on bail. He has no criminal antecedents. He is a law abiding citizen, earns his livelihood as an RTO Agent and is the breadwinner of his family. He is a permanent resident of Mumbai, has deep roots in society and there is no chances of his absconding. He undertakes to cooperate with the investigation agency, shall not directly or indirectly influence, threaten or induce any prosecution witnesses, shall remain present during the trial. There is no useful purpose would be served by keeping the accused behind the bar. He is ready to abide any terms and conditions imposed by the Court. Therefore, he prays that he be released on bail. Hence, this application.

2. Call Say of IO, SPP and victim. Investigation Officer has filed his reply vide Exh.2 and submitted that the offence is serious nature and there is a chances of committing similar offences. If he released o bail, there is a chances of threatening informant and witnesses and pressure on them. The statement of witnesses yet to be recorded. Charge-sheet is yet to be filed. Therefore, he prays for rejection of the bail. Ld. SPP adopted the same reply.

3. Victim appeared and filed her reply at Exh. 03 that she has taken strong objection to release the accused on bail by stating that, the accused had established physical relation with her on the pretext of

marriage. If accused released on bail, it will cause danger to her family member, because family member of accused threatening to them.

4. Read application and Say. Heard both the advocates. I have gone through the entire papers. It is the allegation of prosecution that age of the victim girl was 17 years 09 months. She herself left the house, therefore, her mother taken the search, but she was not found. Therefore, she filed a missing complaint. Then search was taken, she was found at Dadar Railway Station and she has stated that, since the year 2022 to June 2026, time to time, accused had given promise of marriage, kept physical relation with her. To that respect, accused arrested on 24.06.2026. Since more than one month 09 days, he is behind the bar. It appears that, victim girl herself left the house. Prima-facie it appears that the accused and victim were known to each other. Report shows that most of the investigation is completed. There is a love affair between them and their relationship were consensual. She attended age of understanding, knows the consequences of her act. Furthermore, her mother stated her date of birth as 16.09.2006 and documents prepared by mentioning her date of birth as 16.12.2008 and while entering into the school, her date of birth is mentioned as 16.09.2008. Which shows that, there is a confusion regarding the date of birth of victim girl. Considering the said situation and the scope of investigation, I am of the view that further detention of accused behind the bar is not necessary. It is well settled principle that bail is a rule and jail is a exception. Hence, said bail application deserves to be allowed. Therefore, I pass following order :-

ORDER

1. Bail Application POCSO No.708 of 2026 in Remand Application No.917 of 2026 is hereby allowed.

2. Accused **Ansh Umesh Shah** in Crime No. 369 of 2026 registered with Antop Hill Police Station for the offense punishable under Sections 137(2), 75, 64(1), 64(2)(i), 64(2)(m) of BNS and under Sections 4, 6, 8, 12 of POCSO Act, be released on furnishing a PB and SB of Rs. 15,000/- (Rupees Fifteen Thousand) with condition that not to tamper prosecution witnesses and not to contact victim girl in any manner and to co-operate the investigation.

3. Prayer of provisional cash bail, if any, is hereby rejected.



(SUREKHA A. SINHA)
Designated Special Judge
under POCSO Act
City Civil And Sessions Court
Greater Bombay

Date :- 03.08.2026.

“CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED JUDGMENT/ORDER.”	
03.08.2026	(Shravanti Karre)
UPLOAD DATE	NAME OF STENOGRAPHER
Name of the Judge (With Court room No.)	SMT. SUREKHA A. SINHA (C.R. No. 36)
Date of Pronouncement of ORDER	03.08.2026
ORDER signed by P.O. on	03.08.2026
ORDER uploaded on	03.08.2026