

ORDER BELOW EXHIBIT-01

In Cril.Bail Appln.No.129/2026

(Yogesh Shankar Aade .Vrs. State)

(CNR NO.: MHAK050004272026)

1) This is an application for bail under section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023. The applicant is arrayed as accused in Crime No.428/2024 registered with Dahihanda Police Station for offences punishable under Sections 64 of the Bharatiya Nyaya Sanhita, 2023.

2) The informant herein lodged report at police station Dahihanda (Chohotta Police Out Post) on 23.11.2024 informing that, on that day her both daughters and their husbands had gone for work on brick kiln belonging to Arvind Yeke. The victim/ informant was sleeping in cattle shed. Her son-in-law Nitin came to the house and took away a sickle. He did not lock the door. Thereafter, the applicant (who happens to be brother-in-law of the daughter of victim/informant) entered into the cattle shed and committed rape on her. The incident was witnessed by daughters of the victim at 01:00 p.m. The applicant was found committing rape on the victim then. Daughters raised hue and cry. The applicant, therefore, fled away. He came to be arrested on 24.07.2024, post registration of offence. He is in judicial custody.

3) According to the applicant he has no criminal antecedents. The incident projected in FIR is false and improbable. Substantial investigation has been completed. There is delay in effecting arrest of the applicant. As such the applicant

prays for bail by showing willingness to follow the conditions in respect of bail.

4) The State/Prosecution opposed the application by submitting that, the offence is serious in nature. If the applicant is released on bail, he would tamper with the evidence and would pressurize the witnesses. The applicant was absconding since inception. The applicant is attributed specific overt act supported by the medical record. The investigation is progressing. Accordingly, the prosecution prays for rejection of the application. The victim/informant has died subsequently. Hence, her say could not be obtained.

5) Heard learned Advocate Shri S. N. Tarale for the applicant and learned APP Shri A. V. Deshmukh for the State/ Prosecution. Perused the available material.

6) Points for determination and findings thereon are as follows -

Sr.No.	Points	Findings
1.	Does the applicant prove that, he has made out ground for bail u/S.483 of B.N.S.S.?	No
2.	Whether the applicant is entitled to bail as prayed for ?	No
3.	What order ?	As per final order.

REASONS

As to Point Nos.1 and 2 :

7) While appreciating merits of the application contentions, it may be noted that, there is specific overt act attributed against the applicant to the extent that, he committed rape on the victim. The victim herself has specifically narrated the incident against the accused. There are two eye witnesses to the incident. It is further pertinent to note that, the applicant was absconding since the day of commission of offence for long tenure of about 2 years and 7 months. In the foregoing premise, this court is not inclined to grant bail at this stage, much less when the investigation is at budding stage. The application, as such, needs to be rejected. Hence, the order -

ORDER

The application is rejected.

Place : Akot,
Date : 04.08.2026.

(B. M. Patil)
Additional Sessions Judge,
Akot.

C E R T I F I C A T E

I hereby certify that the contents of this PDF file are word to word as per the original order.

Name of Stenographer	:	L. S. Raniwal
Name of Court	:	Court of A.S.J., Akot.
Date of pronouncement of judgment	:	04.08.2026.
Judgment signed by the P.O. on	:	04.08.2026.
Date of uploading PDF on	:	04.08.2026.