

MHAU010039232026



**IN THE COURT OF DISTRICT JUDGE – 7 AND
ADDITIONAL SESSIONS JUDGE,
(JUDGE, EXCLUSIVE FAST TRACK SPECIAL COURT,
AT CHHATRAPATI SAMBHAJINAGAR**

**BAIL APPLICATION NO. 1004 / 2026
(CNR No. : MHAU010039232026) IN
(C.R. NO.: 196/2026 OF KARMAD POLICE STATION)**

Shankar Suresh Shihire	]	
Aged 28 Years, Occ : Agri.	]	
Residing at Bendewadi,	]	
Chhatrapati Sambhajanagar	]	...Applicant/ Accused

V/s.

1. The State of Maharashtra		
(At the instance of Karmad Police Station)	]	... Respondents
2. XYZ (victim)	]	

Appearance:-

Ld. Advocate Shri. N.S. Ghanekar for applicant/accused.

Ld. APP Smt. D.K. Nagula for State.

Ld. Advocate Shri. J.K. Ghanwat for Victim

**CORAM : ADDITIONAL SESSIONS JUDGE,
(JUDGE, EXCLUSIVE FAST TRACK
SPECIAL COURT), AURANGABAD
Smt. Shilpa S. Todkar**

Date : 9th JUNE 2026

:: ORDER ::

This bail application is filed under section 483 of Bharatiya
Nagarik Suraksha Sanhita, 2023 (in short “BNSS”) in connection with

Crime No. 196 of 2026 registered with Karmad Police Station for the offences punishable under section 64(2)(m), 69, 352, 351(2) of the Bharatiya Nyaya Sanhita (in short “BNS”) and Section 4, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012(in short “POCSO Act”).

The brief facts of the prosecution case is as follows -

2. The first information report has been lodged by the informant/victim who is now 18 years 4 months old stating that she is residing along with her father at the address mentioned in the first information report. Her mother is died and she alongwith her father do agricultural work.

3. Victim was 16 years old at the time of incident. Prior to 2 and ½ years, she acquainted with accused and he used to meet her whenever she was going to attend her college which turned into their love relationship between them.

4. Thereafter, the accused told victim that they would get married soon and gained her trust and tried to have physical relations with her. But victim told accused that she should not have relations before marriage. However, against her will, accused forced her to have physical relations with him. Accordingly, since 20.08.2024 till 30.04.2026, accused by giving allurements of marriage, established forcible physical relations with her many a times. On 11.05.2026, when she asked the accused to marry with her, he refused and abused her and threatened to kill. Accordingly, first information report bearing crime No. 196 of 2026 for the offences punishable under section 64(2)(m), 69, 352, 351(2) of BNS and section 4, 8, 12 of POCSO Act has been registered against the applicant/accused.

5. According to the applicant, he is permanent resident of Chhatrapati Sambhajinagar. He has not committed any offence and he is innocent and has been falsely implicated in the present case. On 11.05.2026, there was engagement ceremony of the victim and the applicant but victim was found talking with someone on her mobile and thus, mother of the applicant enquired about it and victim disclosed about having affair with some other person and thus, further ceremony was cancelled and out of said dispute, present false complaint came to be lodged.

6. The alleged incident to be taken place between 20.08.2024 till 30.04.2026. But, the first information report came to be lodged on 13.05.2026. So, there is inordinate delay of more than 20 months in lodging the first information report. The incident arises out of the family dispute. There is nothing to be recovered or discovered at the hands of applicant. Hence, further custody of the applicant is not warranted. Applicant was arrested on 13.05.2026 and now he is in judicial custody.

7. The applicant is ready and willing to cooperate with the investigation. Applicant shall abide by the condition if imposed. Nothing is to be recovered from the applicant, therefore, further custody of the applicant is not required. Hence, this application.

8. Investigating officer filed reply and raised strong objection. According to them, the investigation is in progress. The offence is serious in nature and against minor. One N.C. is also lodged by the father of victim against unknown persons for the offence of threatening to kill the victim and her father, if they did not withdraw their complaint. If accused released on bail there is every possibility of

tampering prosecution evidence. Lastly, prayed for dismissal of the application.

9. Looking to the nature of the offence, the notice has been issued to the victim who has filed reply at Exh. 10 contending that if accused released on bail then there is every possibility of threatening her by accused. She has strong objection to release the applicant/accused on bail. Lastly, prayed to reject the application.

10. Perused the application, documents and say filed by investigating officer and victim. Heard Ld. Adv for the applicant, Ld. APP for the State and Ld. Advocate for the victim.

11. On perusal of first information report which shows that the accused told victim that they would get married soon and gained her trust and tried to have physical relations with her. But victim told accused that she should not have relations before marriage. However, against her will, accused forced her to have physical relations with him. Accordingly, since 20.08.2024 till 30.04.2026, accused by giving allurements of marriage, established forcible physical relations with her many a times and thereafter, accused refused to marry with her and abused her and threatened to kill her.

12. The offence is serious in nature and against the minor. In the FIR, it is specifically mentioned that applicant/accused has done physical relations with the victim under the pretext of marriage against her will. According to the victim, if accused released on bail, there is every possibility of threatening her. Record also shows that one NC No. 0455/2026 dated 16.05.2026 is filed by father of victim against unknown person who had threatened the victim for withdrawal of the

present case. The investigation in the present crime is in progress. Charge-sheet is yet to be filed. Considering the serious nature of offence, it is necessary to conduct detailed investigation. At this stage, if applicant/accused released on bail, there is every possibility of tampering the prosecution evidence. Hence, I am not inclined to grant bail to the accused/applicant.

13. In the result, I pass following order :

ORDER

Application for bail (Exh. 1) filed by the applicant - **Shankar Suresh Shihire**, in connection with Crime No. 196/2026, registered at **Karmad** Police Station for the offences punishable under section 64(2)(m), 69, 352, 351(2) of the Bharatiya Nyaya Sanhita and Section 4, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012 is hereby **rejected** and disposed of accordingly.

(Dictated and Pronounced in the open court)

Date : 09.06.2026

(Smt. Shilpa S. Todkar)
District Judge – 7 and
Additional Sessions Judge
(Exclusive Fast Track Special Court)
Chhatrapati Sambhajnagar

Directly dictated and typed on	: 08.06.2026
Checked and Corrected on	: 09.06.2026
Date of sign	: 09.06.2026

CERTIFICATE

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

Name of Stenographer	:	Sachin K. Tripure
	-	
Name of Court	:	Additional Sessions
	-	Judge, Court No. 7 Aurangabad
Date of Decision	:	09.06.2026
	-	
Order signed by the P.O. on	:	09.06.2026
	-	
Order uploaded on	:	09.06.2026
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