

MHKO080006962025 	<u>Order Below Exh. 1 in Cri. Bail. Appln.</u> <u>No.154/2025</u> Adesh Babu Naik Vs. The State of Maharashtra (Through Nesari Police Station)
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1. The present anticipatory bail application is moved by the applicant Adesh Babu Naik, who is facing charges under Sections 78(1), 351(2), 351(3) of the Bharatiya Nyaya Sanhita, 2023 along with Section 12 of the Protection of Children from Sexual Offences Act, 2012, in connection with C.R. No.126/2025 registered with Nesari Police Station.

2. It is alleged in the FIR that, the incident took place on 25/10/2025 and 13/11/2025, when the victim was attending her college. The accused chased her and said her “I love you”. When she protested, he threatened to assault her family members. Hence, the FIR by the mother of the victim.

3. It is stated in the bail application that, the antecedents of the accused are clean. He has been falsely implicated in the present crime. He is local resident. He is ready to cooperate the investigation agency. Hence, prayed for anticipatory bail.

4. The bail petition is strongly opposed by the State by filing say at Exh.6 and report at Exh.7 stating that, another crime is registered against the accused bearing C.R.No.125/2025 for the offence punishable under Sections 118(1), 115(2), 189(2), 191(2), 351(2) and fled away from the spot. The accused assaulted the son and husband of the first informant. The accused has used mobile phone in commission of the crime, which is to be recovered. There is

snap chat messages sent by the accused to the victim. Hence, prayed to reject the application.

5. The first informant is present. Filed her affidavit and opposed the bail application stating that, the accused has contacted the victim on a mobile phone by snap chat on 24/10/2025 and shown his affection towards the victim. When she protested, he threatened to assault the family members. The victim is at present in IIInd Year of the Diploma and therefore, if the accused is released on bail her education career will be hampered seriously. Hence, prayed to reject the application.

6. Heard both the parties. The Ld. Counsel, Shri. V.K. Hiremath submitted that, the antecedents of the accused are clean. There was friendship between the victim and the accused. However, unfortunately the situation become verse and now the accused is facing criminal charges. He submitted that, accused will cooperate the investigating machinery and will make available mobile phone to the Investigating Officer.

7. I.O. is present and submitted that, it is the only mobile phone which is to be recovered from the accused.

8. Thus, on the background of this situation, I am inclined to allow the anticipatory bail application. Hence, following order is passed -

Order

- 1) The anticipatory bail application No.154/2025 is allowed.
- 2) In the event of arrest of the applicant/accused, Adesh Babu Naik, he shall be released on execution of P.B. and S.B. of Rs.25,000/- in connection with C.R. No.126/2025 registered

with Nesari Police Station for the offence punishable under Sections 78(1), 351(2), 351(3) of the Bharatiya Nyaya Sanhita, 2023 along with Section 12 of the Protection of Children from Sexual Offences Act, 2012.

- 3) The accused shall tender his mobile phone to the Investigating Officer, which is allegedly used by him in commission of the crime.
- 4) The accused shall attend the Nesari Police Station on two days in a week i.e. on Tuesday and Friday in between 10.00 a.m. to 2.00 p.m. till 31/01/2025 or till filing of charge-sheet, whichever is earlier.
- 5) He shall not threaten the victim and her relatives in any manner.
- 6) He shall not contact the victim in any manner.
- 7) He shall stay away from the family of victim.
- 8) The accused shall not enter into Gadhinglaj Taluka, except to attend the Police Station till 31/01/2026 or till filing of charge-sheet, whichever is earlier.
- 9) He shall communicate in writing his residence during this period.
- 10) Inform Nesari Police Station accordingly.

Gadhinglaj.
Date : 15/12/2025.

(M.A. Shinde)
Additional Sessions Judge,
Gadhinglaj