

MHAH070002312026



ORDER BELOW EXH. 1 IN CRI. BAIL APPLICATION NO. 79/2026
(Arun Balasaheb @ Ramnath Pawase Vs. State)

1. The accused/applicant has prayed for releasing him on bail under Section 483 of the B.N.S.S.
2. It is stated in the application that, Crime No.82/2026 is registered against him for the offences punishable under sections 75, 333 of the B.N.S. 2023 and under sections 8 and 12 of the Protection of Children from Sexual Offences Act, 2012. He was arrested on 22.02.2026 and since 23.02.2026 he is in Magisterial Custody. According to accused/ applicant, he is innocent person and he has no concern with this crime. The applicant is falsely implicated in the present crime. There is delay of 5 hours in lodging the report. There is no evidence to connect the accused with alleged offence. The investigation of the offence is completed and his custody is not required. Only on the suspicion he is arrested. There are no criminal antecedents against the accused. The alleged offences are having punishment less than 7 years. The accused is earning member of the family. If he is detained in jail, his family will suffer. He is ready to abide by the conditions if any, imposed by this court. On these grounds the applicant has prayed to release him on bail.
3. The Ld. APP has filed his reply Exhibit 5 and opposed the application. It is submitted that, serious offence is registered against the

accused. It is submitted that, at the time of incident accused had criminally trespassed in the house of informant and outraged her modesty. The alleged offence is against female child. There is prima facie evidence against the accused. The accused has committed offence under the Schedule Castes and Scheduled Tribes (Prevention of Atrocities) Act. The investigation is in progress. Accused and victim are residents of same village. If accused is released on bail, he will pressurize the victim and other witnesses. Further, it is likely that, accused will commit similar offence. He will not attend the court and destroy the prosecution evidence. Considering serious nature of the offence, it is prayed to reject the application.

4. The victim's parents have filed their say vide exhibit 9 and submitted no objection to grant bail to the accused.

5. Heard Ld. Advocate for the applicant/accused and Ld. APP for the state. It is submitted on behalf of the accused that, accused is falsely implicated in the offence. Alleged offences are not attracted against him. Physical custody of accused is not necessary. The investigation is technically completed and nothing has to be recovered from the accused. The alleged offences are having punishment less than 7 years. Therefore, accused is entitled for bail. It is submitted that, due to dispute between accused and master of victim's father false case is lodged against accused.

6. The Ld. APP for the state submitted that, the victim and accused are residents of same village. There is strong evidence to show involvement of accused in the offence. All the offences levelled against the accused are

attracted. If accused is released on bail, he will commit similar offence in future. He will pressurize the prosecution witnesses. Therefore, he has prayed to reject the application.

7. In this case, the accused is alleged to have committed offences punishable under sections 75, 333 of BNS and under sections 8, 12 of the Protection of Children from Sexual offences Act, under sections 3(1)(w), (i)(ii), 3(2)(va) Schedule Castes and Scheduled Tribes (Prevention of Atrocities) Act. The accused is in jail since 23.02.2026. It is seen that, alleged offences levelled against the accused are not punishable with imprisonment for more than 7 years. The informant and victim are residents of same village. The informant has filed reply vide exhibit 9 through her parents and submitted no objection to release the accused on bail. At present nothing has to be recovered from the possession of accused.

8. The offences levelled against the accused are not punishable with death or imprisonment for life. Technically the investigation is completed. The victim has no objection to release the accused on bail. It is necessary to avoid pre-trial detention. No purpose would be served by keeping the accused in jail for indefinite period. The accused is local resident and it is not likely that, he will abscond. Further there is nothing to show that, he is such influential person that he will pressurize the prosecution witnesses. Considering the maximum punishment for the alleged offences it would be proper to release the accused on bail. The bail is normal rule and jail is an exception. Pre-trial detention has to be avoided. In these circumstances, the application deserves to be allowed. Hence, following order is passed.

: ORDER :

1. The application is allowed.
2. **Applicant/accused Arun Balasaheb @ Ramnath Pawase** be released on bail in the sum of Rs.25,000/- (Rs. Twenty Five Thousand) only with one surety of like amount.
3. The applicant/accused shall not tamper with the evidence during the trial.
4. The applicant/accused shall not commit an offence similar to the offence of which he is accused, or suspected.

Sangamner.
Date : 10/03/2026.

(M. M. Shaikh)
Additional Sessions Judge,
Sangamner.