

**ORDER BELOW EXHIBIT - 8**

1] It is an application under section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 [in short 'BNSS'] for grant of bail filed by Bhushan @ Montu Rajesh Wankhade [A-1].

2] Brief facts of the prosecution case can be stated as under-

The informant lodged report at Civil Line Police Station, Akola, alleging therein that his son is a student of 12<sup>th</sup> standard and attends English tuition classes at English Grammar Academy, Jawahar Nagar, Akola.

On 29.11.2025 at about 10-00 AM, while the informant and his wife were at home, their son returned in a frightened condition and informed them about an incident that occurred on 25.11.2025. On that day, the informant's son had attended a parents' meeting at his tuition class. A girl who is his friend had also come there for the meeting. After the meeting, both of them purchased breakfast from a hotel near Bara Jyotirling Temple and went to a park at Rautwadi to eat. At about 08-00 PM, Prashant Palaspagar, Montu Wankhade [A-1], and one unknown boy approached them. They questioned why the two were sitting there and demanded to see their Aadhaar cards. The persons then

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took photographs of both of them as well as photographs of their Aadhaar cards.

On 27.11.2025 at about 08-00 PM, Atish @ Bhola Waghmare [A-2] allegedly called the informant's son outside his house, told him that absconded accused Prashant Palaspagar was like his elder brother and that the matter was serious, and asked him to accompany him on his Activa scooter on the pretext of resolving the issue. It is alleged that he took the informant's son near Kothari Convent and thereafter to a fallow land where absconded accused Prashant Palaspagar was present. The absconded accused allegedly claimed that he possessed photographs and video recordings of the informant's son and his friend, snatched the mobile phone of the informant's son, used it to call the girl, and threatened to disclose to her parents unless ₹1,00,000/- or gold ornaments were given. It is further alleged that the absconded -accused caught hold of the son of the informant by the collar, dragged him aside into a dark area, and assaulted him with fist and kick blows and detained him till 11-00 PM.

On 28.11.2025 at about 02-35 PM, A-2, using mobile number 7218401382, called the informant's son and demanded ₹1,00,000/- threatening that failing payment he would circulate photographs. The A-2 further threatened that if the informant's son disclosed the prior assault or the demand for money to anyone, he would be killed. He also

intimidated the informant's son by saying that he would have to attend tuition classes in their area and that they would make his life miserable.

3] It is contended that the A-1 is innocent and has not committed any offence. He is arrested on 30.11.2025. Since then he is behind the bar. Nothing is recovered or discovered from A-1. The investigation is over. The charge-sheet is filed. Further detention of A-1 is not necessary. The trial will take its own time. Therefore, A-1 deserves bail.

4] Prosecution resisted the application by filing say at Exh. 9. It is contended that there is a prima facie case against A-1. During the investigation, the involvement of A-1 in the aforesaid crime has been crystallized. The active role of the A-1 is sufficient to infer that he is hand in glove with the other accused. Taking into consideration the gravity of the offence, there is a possibility of tampering of the prosecution evidence, if A-1 is released on bail. The main accused Prashant Palaspagar and Anand Sarap are absconding. It is therefore, prayed that application may please be rejected.

5] Heard the Ld. Advocate of A-1, the Ld. APP for the State and the victim girl in person.

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6] It is well settled that while considering the application for bail, the court has to take into consideration the nature and gravity of accusation, the role attributed to the accused, the possibility of tampering with evidence, the likelihood of absconding and the stage of investigation.

7] The alleged incidents are dated 25.11.2025, 27.11.2025 and 28.11.2025. Undisputedly, A-1 was not present when the alleged incident dated 27.11.2025 and 28.11.2025 took place. So far as the incident dated 25.11.2025 is concerned, the role attributed to the A-1 was that he was with co-accused when the victims were compelled to show their Adhar Cards and some photographs of them were taken. No electronic material has been recovered from A-1. In the present case, investigation is completed and charge-sheet has been filed. No custodial interrogation of A-1 is required for the purpose of any disclosure and recovery. The primary allegation of demanding money and sexual favour appears to be specifically attributed to the absconded accused. The role attributed to the A-1, as emerging from the charge-sheet is of accompanied the absconding accused at the time of first incident. The evidence against this A-1 is mainly oral in nature and it is to be tested at the time of trial.

8] A-1 has been in custody for a considerable period. The trial will take its own time. There are no criminal antecedents attributed to A-1. There is nothing on record to indicate that, if A-1 is released on bail, he would abscond or misuse the liberty. Thus, continued incarceration of A-1 until the conclusion of the trial would not serve any useful purpose. Therefore, A-1 deserves bail subject to condition. Hence, following order-

**ORDER**

1]		Application is allowed.
2]		Bhushan @ Montu Rajesh Wankhade [A-1] be released on bail on his furnishing personal bond of ₹ 50,000/- and surety bond of like amount, subject to following conditions-
	i]	He shall not directly or indirectly contact, influence, or threaten the victims or any prosecution witness.
	ii]	He shall keep himself away from the victims or any prosecution witness.
	iii]	He shall furnish his mobile number and residential address to the Investigation Officer.
	iv]	He shall not commit any similar offence during the pendency of the trial.
	v]	In case of breach of any of the above conditions, the prosecution shall be at liberty to move for cancellation of bail.

Date:-06.02.2026.

**[S. B. Kachare]**  
**Sessions Judge**  
**Akola.**

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**- CERTIFICATE -**

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

Name of Steno	:	J.A.Morey
Court Name	:	Hon'ble PDJ.Court, Akola.
Date	:	06.02.2026.
Signed by Presiding		
Officer on	:	07.02.2026.
Uploaded on	:	07.02.2026.