

MHAK010009072026



Cri. Bail A. No. 147/2026
Nivrutti Vs. State of Mah.

ORDER BELOW EXHIBIT-01.

[Passed on 06th March, 2026]

This is an application for pre-arrest bail U/s. 482 of the BNSS, 2023. The applicant namely **Nivrutti Vijay Natkar** arrayed as an accused in crime **No. 400/2025** registered with Police Station Akot File, Akola for the offences punishable under Section 137(2), 64, 64(2)(M) of the Bhartiya Nyaya Sanhita, 2023 and Section 4, 5(L), 8, 9(L), 10 of the Child Labour (Prohibition and Regulation) Rules.

The Prosecution case in brief is as follows :-

02] The victim is minor of the age 15 years 5 months. The accused is major and in spite of having knowledge of minority of victim he induced and took her from the custody of lawful guardian without their permission. Not only that but he had sexual intercourse with victim when they resided together.

03] It is the contention of applicant that he is falsely implicated in this case. There is no any prima-facie material on the record to prove the offence of rape against him. He is ready to abide all the conditions if and then imposed by the Court. The investigation is already completed. Charge-sheet is filed in the Court. His arrest is absolutely unnecessary. Therefore, he prayed for pre-arrest bail.

04] Per contra the Ld. APP and I.O. have strongly opposed the application on the count that the offence is of serious nature. The spot of incident of village Khanapur, Khadakwasala Pune is known to accused

only. Therefore, his arrest is necessary. Moreover, the possibility of pressurizing the victim and informant can not be ruled out. Only to avoid the arrest he has absconded and now seeking anticipatory bail. On this count, they prayed to reject the application.

05] Heard learned counsel for applicant and Learned APP at considerable length. Perused the material on the record.

Sr. No.	Points	Findings
1.	Does applicant prove that he has made out ground for pre-arrest bail under section 482 of BNSS?	Yes.
2.	Whether applicant is entitled for bail as prayed ?	Yes.
3.	What order ?	As per final order.

As to Point Nos. 1 to 3 :-

06] I have given due consideration to the rival contentions of both the parties and submissions made on their behalf. It clearly appears that, the investigation is completed and charge-sheet U/s. 335 of Bhartiya Nagarik Suraksha Sanhita, 2023 is filed against the accused. On perusal of charge-sheet, it clearly appears that the investigation is completed. I found no substance in the contention of I.O. that only the accused can disclose the spot of incident situated at village Khanapur Khadakwasala Pune. In fact, the victim can also disclose the said fact. Moreover, it appears that the victim has shown no objection to grant bail to the accused. The said fact falsifies the contention of I.O. that the accused may pressurize the victim and other witnesses. From the record, it also transpires that the victim has refused for medical examination. Not only that but from her statement dtd. 25.09.2025 it clearly appears that she and accused are in love affair and as she insisted and threatened to commit suicide, the accused took her with him.

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07] Therefore, in such situation, I am of the opinion that the arrest of the accused is absolutely unnecessary. The investigation is completed and therefore there is no question of adverse impact of pre-arrest bail on the investigation. Therefore, in such circumstances, I am of the opinion that the accused is entitled for pre-arrest bail as prayed. Hence, for the said reason, I answer point nos. 1 and 2 **in the affirmative** and in answer to Point no. 3, I proceed to pass following order:-

- **ORDER** -

- 01] Criminal Bail Application No.147/2026 is allowed.
- 02] In the event of arrest, applicant namely **Nivrutti Vijay Natkar** in Crime no. 400/2025 registered with Police Station Akot File, Akola for the offence punishable U/s.137(2), 64, 64(2)(M) of the Bhartiya Nyaya Sanhita, 2023 and Section 4, 5(L), 8, 9(L), 10 of the Child Labour (Prohibition and Regulation) Rules be released on P.B. and S.B. of Rs. 25,000/- subject to the following conditions :-
- (a) The applicant shall not threat or pressurize to any witness and person acquainted with the fact of the case, so as to dissuade them from disclosing such facts to the court or to any police officer or tamper with the evidence.
- (b) The applicant shall cooperate to investigating officer in investigation.
- (c) Inform the concerned investigating officer.

Date : 06.03.2026
Akola.

[**Rahul A. Shinde**]
District Judge-3 and A.S.J.,
Akola.

CERTIFICATE

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

Name of Steno	:-	S. D. Tekade, Stenographer (Gr-2).
Court's name	:-	District Judge-3 and Additional Sessions Judge, Akola
Date	:-	06.03.2026
Signed by P.O. on	:-	06.03.2026
Uploaded on	:-	06.03.2026