

**IN THE COURT OF SESSIONS AT AKOLA.**

( Presided over by Smt. S.R. Pahade, Addl. Sessions Judge )

**Spl. SCST No. 101/2025**

**CNR NO.MAHAK010017612025**

**Yashwant @ Takya Ajabrao Ghorad,**

Age : 28 years, Occ. : Labour,

R/o.Hingna Mhaispur (old),

Akola, Tq. Dist. Akola.

...Applicant.

- Versus -

The State of Maharashtra

Through **PS.O. PS. Old City,**

Akola, Tq. Dist. Akola.

... Non-applicant.

**ORDER BELOW EX.11.**

[Passed on 16.12.2025]

1. This is a second bail application for grant of regular bail under Section 483 of Bhartiya Nagarik Suraksha Sanhita, 2023 in connection with crime No.228/2025 registered with PS. Old City, Akola, Tq. Dist. Akola for the offences punishable under Section-punishable under S.64, 64 (2) (k) (m) of Bhartiya Nyaya Sanhita, 2023, S.3 (1) (w) (i) (ii), 3 (2) (v) of Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1979 & S.92 (a) (d) of Rights of persons with disabilities Act, 2016 for bail pending the trial.
2. It is contended by the applicant that he is resident of above mentioned address. Applicant is

peace loving and law abiding person. He is doing labour work. He is maintaining his old aged mother. There is love affair between victim and applicant. The parents of victim said applicant that he should marry with the victim, but the applicant said that after the divorce of victim, he would marry with her. He has not given threats. His first bail application for regular bail is rejected on the ground that investigation is in progress. The investigation is completed and the charge-sheet is filed. He also contended that he is law abiding citizen and has the permanent resident of the address mentioned in the application. He has no criminal antecedent. Implication of the present applicant in this matter is totally false. He came to be arrested on the basis of suspicion. The victim is aged of 21 years and she is married. She has daughter from her first husband. Though the victim is deaf and dumb, she is having capacity of understanding. She has not lodged complaint against the applicant. She did not tell about the incident to her parents. The applicant has not committed any offence. Nothing is to be recovered from his possession. The parents of the victim were pressurizing the applicant to marry with victim. The applicant assured that he will marry with her after she get divorce from her husband. Therefore, false complaint came to be lodged against him. The present applicant has no concern with the

alleged offence and since 31.03.2025, he is in Jail. He is ready to abide all the conditions imposed by the Court. Hence, he prayed for bail.

3. The respondent/State strongly opposed the bail petition by filing reply at Exh. 12. It is submitted that the victim is deaf and dumb. The applicant has committed serious offence. The victim, witnesses and accused are resident of same village. There is possibility of pressurizing witnesses. On these ground, prayed for rejection of bail.

4. Heard the learned advocate Mr. B.N. Ramteke appearing on behalf of the applicant/accused, the learned Public Prosecutor Mr. Fundkar for the State. Perused the investigation papers made available by the prosecution. At the time of argument, Advocate for the applicant relied on the cases of **Sunny @ Ravi Kumar Vrs. State of NCT of Delhi**, 2024 ALL (MR (Cri) Journal 78 and **Dinesh Fakira Mohurle Vrs. The State of Maharashtra and Anr.**, 2025 ALL MR (Cri) 270.

5. As per FIR, on 28.3.2025, informant lodged FIR. Victim is her 21 years old daughter. She is deaf and dumb since childhood. She was married and has a daughter. However, her husband left her, so she resides at maternal home. She communicates in sign language and by gestures. On 27.3.2025, victim felt

giddiness. She was taken to the hospital. It is revealed that she is pregnant. On enquiry, she disclosed by gestures that the accused called her in one field and established sexual relations with promise of marriage. First incident occurred on 02.10.2024. Thereafter, he established such sexual relations on four to five occasions. On 18.3.2025, accused threatened to kill her and her parents if she would disclose anything to anyone. When informant and other family members asked the accused to marry the victim, he asked them to abort the fetus. FIR was registered. Accused was arrested on 29.3.2025. Since then, he is in custody.

6. Record shows that there are serious allegations against the applicant/accused. The name of applicant is mentioned in FIR. There is sufficient material against the applicant. There is possibility of threatening and pressurizing to the victim and witnesses at the hands of the applicant/accused. There is no change in circumstances. The first bail application of the applicant was rejected by Court. The applicant has not challenged the said order before the Higher Court.
7. I have gone through the cases cited on behalf of the applicant, the facts of the present case is different than the cases cited on behalf of the applicant. In the

present case, the victim is deaf and dumb. In the statement recorded before JMFC by taking assistant of expert and mother of the victim, the victim has stated the name of the applicant/accused.

8. It is settled that, accused can file successive bail application after filing of charge-sheet, but the accused has to make out circumstantial change which would entitle him for bail. It must have direct impact on the previous order. The applicant has failed to make out any change in circumstances. Filing of charge-sheet is not change in circumstances. Considering the gravity of offence and the punishment, I come to the conclusion that this is not a fit case to exercise discretion in favour of the applicant. Therefore, I proceed to pass following order:-

**ORDER**

Application stands rejected.

Date :16.12.2025

[Smt. S.R. Pahade ]  
Additional Sessions Judge,  
Akola

### Certificate

I hereby certify that the contents of this PDF file are same word for word as per original order:

Name of Steno	:	Shamim Sayed
Court's Name	:	District Judge-2 & A.S.J., Akola
Date	:	16.12.2025
Signed by PO	:	17.12.2025
Uploaded on	:	17.12.2025