

IN THE SPECIAL COURT (SC/ST ATROCITY), AKOLA.

MHAK010019632026



Cri. Bail Appln. No. 423/2026.

**Rajkumar Namdeo Jadhav
R/o. Katkheda, Tq & Dist. Akola
At Present Dipali Nagar,
Malkapur, Tq. & Dist. Akola.**

Vs.

**State of Maharashtra through
P.S. Ramdaspath, Akola +1**

ORDER BELOW EXH.1.

(Passed on 12.06.2026)

<u>Case Details.</u>	
FIR Number and Date	: 365/2026 Dated 05.05.2026
Police Station, District & State	: Ramdaspath , Akola, Tq & Dist. Akola
Sections invoked	: 64(2)(m), 351, 351(2)(3), 115(2), 296 of The Bharatiya Nyaya Sanhita, 2023 and Section 3(1)(r)(s), 3(1)(w)(i) (ii), 3(2)(va) of Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989.
Maximum punishment prescribed	: Imprisonment for life.

<u>Custody and Procedural Compliance.</u>	
Date of Arrest	: 30.04.2026
Total Period of custody undergone	: 1 Month 13 days
<u>Status of Trial.</u>	
State of Proceedings	: Investigation is in progress.
Total number of witnesses cited in charge sheet	: Chargesheet yet to be filed.
Number of prosecution witnesses examined	: Nil.
<u>Criminal Antecedents.</u>	
F.I.R. No.	: Nil
Sections	: Nil
Status	: Nil
<u>Previous Bail Applications.</u>	
Court	: None
Case No.	: None
Outcome of the case	: None
<u>Coercive Procedures.</u>	
Whether any non bailable warrant was issued?	: No.

Whether declared a proclaimed offender?	:	No.
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Perused the application and say filed by learned APP and I.O. vide Exh. 6 so also victim vide Exh. 11. Heard both learned counsels and the victim in person.

2) Applicant has filed the present application for releasing him on bail for the offence punishable under Sections 64(2)(m), 352, 351(2)(3), 115(2), 296 of The Bharatiya Nyaya Sanhita, 2023 and Section 3(2)(va)(s), 3(1)(r), 3(1)(s), 3(1)(w)(i), 3(1)(w)(ii) of Scheduled Castes & Scheduled Tribes (Prevention of Atrocities) Act, 1989 registered with P.S. Ramdaspath, Akola vide crime No. 365/2026.

3) Learned counsel for applicant/accused argued that applicant/accused is in jail since 30.04.2026. He has no criminal antecedents. Applicant and victim were attending same coaching classes. They get acquainted with each other there and since then had friendly relations. Victim was major at the time of incident. There was consensual sex in between them. Since last 5 years they accompanied each other. However, on 26.04.2026 first report was lodged by victim, wherein no such allegations were made. However, in the second report victim has made serious allegations of rape against accused. In fact both were enjoying the situation. There was neither inducement nor threat nor promise on the part of accused. The story put forth by prosecution is totally false.

4) He further argued that most of the investigation is completed. The mobile is seized from the accused. Nothing remained to be investigated. Investigation is almost completed. Statement under Section 183 BNSS of the victim is also recorded. In photographs, some of the selfies were clicked by victim herself. Applicant/accused is government servant and is working at Thane. Therefore, question of tampering with prosecution witnesses does not arise at all. Applicant is ready to abide by the conditions, if any imposed by this court. Nothing was stated by victim when the accused was in PCR. Therefore, applicant is entitled to bail. Hence, application be allowed.

5) Learned APP and I.O. so also victim by their say strongly opposed the application. Learned APP submitted that the offence is against woman and is serious one. If accused is released on bail, then possibility of tampering with evidence and commission of similar crime cannot be ruled out. Investigation is in progress. Applicant/accused is married still he involved himself in heinous crime. Hence application be rejected.

6) Similarly, victim in person submitted that accused sexually harassed her and time and again committed sexual intercourse with her against her will. First time he had taken her to one room of his friend and had provided her juice, therefore, there was giddiness to her and taking disadvantage of the same, accused committed sexual intercourse with her. He also snapped her nude photographs and then threatened her to make the same viral and on that count time and again committed sexual

intercourse with her. He physically, mentally harassed her. There is danger to her life, if accused is released on bail. There is also possibility of tampering with evidence. Hence application be rejected.

7) Having regard to the submissions made by both learned counsels so also victim and after going through the say so also matter on record, I found that the allegations made against applicant/accused are serious in nature. Learned counsel for applicant though argued that there was consensual sex and victim was willing party, still record shows contrary. It appears from record that applicant/accused is though married and is having children still he indulged himself in illegal activities and sexually exploited the victim time and again.

8) It is also clear from the case diary so also statement of victim that applicant not only sexually harassed her, but also had given threats to defame her public at large. It is pertinent to note here that victim is a member of Scheduled Caste/Scheduled Tribe and despite knowing the said fact, applicant committed atrocities upon her. It is also clear from the case diary that the investigation is in progress. In view of say filed by victim also, it is not safe to release applicant at this juncture on bail. If he is released, then certainly taking disadvantage of his position, there is possibility of tampering with prosecution witnesses and likelihood of disappearance of certain evidence. Therefore, as investigation is in progress, at this juncture it is not safe to release accused on bail, otherwise the liberty of the victim will be

at stake. However he is at liberty to file bail application after completion of investigation and filing of charge-sheet. Hence the following order.

ORDER

Application stands rejected.

Akola

Date:- 12.06.2026

(P. B. Naikwad)

Special Judge (SC/ST Atrocity),
Akola

R.S. Shendre (Stenographer Grade-II)
Uploaded on 12.06.2026