

IN THE COURT OF SESSIONS AT AKOLA.

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

CRIMINAL BAIL APPLICATION No. 478/2026

Mr. Mateen Khan Wahed Khan,

Age 35 Years, Occ. : Labour,
R/o Mehboob Nagar, Naigaon,
Akola, Tq. and District Akola.

... **Applicant.**

- **Versus** -

The State of Maharashtra
Through P. S.O., P.S. M.I.D.C.,
Akola, Tq. and Dist. Akola.

... **Non-applicant.**

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Mr. S.S. Sharma, Ld. Advocate for the applicant.
Mr. Akotkar, Ld. A.P.P. for the State.

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ORDER BELOW EXHIBIT 1.

[Passed on 05.06.2026]

This is an application under Section 483 of Bhartiya Nagrik Suraksha Sanhita, 2023 (BNSS) for grant of regular bail.

- 2) The applicant/accused is arrested in crime No.299/2026, registered with P.S. M.I.D.C., Akola, Tq. and District Akola for the offences punishable under Sections 75(1)(i), 75(1)(ii), 78(1)(1), 79 and 3(5) of B.N.S., 2023.
- 3) Details of the case and the information submitted by Seema Parveen Matin Khan, the wife of the applicant/accused supported by her affidavit as per the

directions of Hon'ble Supreme Court in case of Zeba Khan Vs State of U.P. & Others 2026 INSC 144 is as under -

(A) Case Details :

FIR Number & Date	FIR No.299/2026 Dt. 11.05.2026
Police Station, District and State	M.I.D.C., Akola, Tq. and District - Akola and State -Maharashtra.
Sections invoked	75(1)(i), 75(1)(ii), 78(1)(1), 79 and 3(5) of B.N.S., 2023.
Maximum punishment prescribed	Up to 3 years rigorous imprisonment.

(B) Custody & Procedural Compliance :

Date of Arrest	29.05.2026
Total period of custody undergone	4 Days

(C) Status of Trial :

Stage of proceeding (Investigation/ Charge-sheet/Cognizance/Framing of Charges / Trial	Invesgiation.
Total number of witness cited in the charge-sheet	N.A.
Number of prosecution witnesses examined.	Nil.

(D) Criminal Antecedents :

(i)	FIR No. and Police Station	Nil.
	Sections	Nil.

	Status (Pending/Acquitted/ convicted)	Nil.

(E) Previous Bail Applications : No.

Court	Nil.
Case No.	Nil.
Outcome of Case	Nil.
Name of the Judicial Officer who passed previous order (if currently posted at the same station)	

(F) Coercive Processes :

Whether any Non-Bailable Warrant was issued	No.
Whether declared a proclaimed offender	No.

4) Brief facts of the prosecution case are as under :-

On 11.05.2026, informant lodged FIR. She resides with her family in M.I.D.C. No.2, Akola. Her husband is doing labour work in the company at M.I.D.C. Her husband has one mobile having No. 9226627574 for his use. After that her husband has given the said mobile to the informant for her use. One Vikky Tayade frequently used to make phone call to her from mobile No. 9022991472 and asked her for sexual relationship. He also told her that the applicant also has wish

to keep sexual relationship with her. Hence, she lodged the FIR.

5) Investigating Officer and Learned APP filed their say vide Exhibit 5 and opposed bail application on various grounds.

6) Learned Advocate Shri Sharma for the applicant has submitted that there is no criminal antecedent against the applicant. The applicant is falsely implicated in this crime. There is no specific overt act on the part of the applicant mentioned in the FIR. The applicant never contacted the informant nor made any conversation. There is employment related disputes and personal animosity so the applicant is falsely implicated in the crime. The applicant is ready to abide by conditions of the court. The applicant is deeply rooted in the society. So, there is no chance of his fleeing away. Hence he prayed to release the applicant on regular bail.

7) The Learned A.P.P. Shri Akotkar has submitted that if the applicant is released on bail he may tamper the prosecution evidence. So also he may not co-operate in the investigation. Hence, prayed to reject the application.

8) Considering the application, the say and the case papers I find that, one Vikky Tayade who is accused No.1 in this crime used to call the informant frequently and asked for sex. It is also disclosed from the FIR that accused No.1 used to

make phone call to the informant on the say of the applicant. The FIR further discloses there was conversation between the informant and accused No.1 only and the FIR has lodged against the applicant on the say of accused No.1, who used to talk with her in filthy language.

9) Considering the FIR I find that there is no direct involvement of the present applicant in the act. Nor he has called in any way to the informant. In such circumstances, prima facie I do not find direct nexus of the applicant with the alleged offence. Hence, the application needs to be considered.

10) The applicant is deeply rooted in the society and is having immovable property. Hence, there is no chance of his absconding. There is no criminal antecedents against the applicant. He is ready to co-operate in the investigation and is ready to abide any conditions of the Court. In such circumstances, there is no reason for keeping the applicant behind the bars. Thus, I hold that the application deserves to be allowed. With this following order is passed.

ORDER

(1) Criminal Bail Application No.478/2026 is hereby allowed.

(2) The applicant **Mateen Khan Wahed Khan** be released on bail, in connection with Crime No.299/2026, registered with P. S. M.I.D.C., Akola, Tq. and District

Akola, for the offences punishable under sections 75(1)(i), 75(1)(ii), 78(1)(1), 79 and 3(5) of B.N.S., 2023 on his executing P.B. and S.B. of Rs. 50,000/- with one surety in like amount.

- (3) The applicant shall produce his permanent residential address-proof before Investigating Officer and the Court and shall intimate change in their address, if any, in future to the Court.
- (4) The applicant shall attend concerned police station once in a week i.e. on every Saturday between 10.00 a.m. to 1.00 p.m. and shall co-operate with the investigating agency till filing of charge sheet.
- (5) The application is accordingly disposed off.

[Surekha Rajratna Gaikwad]
In-charge Additional Session Judge,

Date : 05.06.2026.

Akola

Certificate

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

Name of Steno	:	S.V. Indane
Court's Name	:	Ad-hoc District Judge-1 & A.S.J., Akola In-charge District Judge-1 and A.S.J., Akola.
Date of order	:	05.06.2026
Signed by PO	:	05.06.2026
Uploaded on	:	05.06.2026