

**ORDER BELOW EXHIBIT-04**

**In Spl.Case No.41/2025**

(State Vrs.Sushil @ Chhotu)

(CNR NO.: MHAK050004522025)

-----

1) This is an application seeking the grant of bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023. The applicant stands arrayed as an accused in Crime No. 270/2025 registered at Akot City Police Station for offences punishable under Sections 64(2)(m) and 137(2) of the Bharatiya Nyaya Sanhita, 2023, read with Sections 4(1), 8, and 12 of the Protection of Children from Sexual Offences Act, 2012.

Prosecution story is as follows:

2) The informant who is the father of the victim, lodged a report at the Akot City Police Station on 18.07.2025 stating that the victim is his minor daughter aged 17 years and 3 months. On the said date, the victim was alone at home while the informant had gone out with his cattle for grazing. During that time, the informant allegedly saw the applicant near his house, who, upon noticing the informant, ran away. When the informant returned home, he found that the victim was missing, and the applicant was also not present in his house.

3) On the basis of this suspicion, the informant lodged a report. Subsequent investigation revealed that the applicant had sexual intercourse with the victim on multiple occasions, contrary to her consent. It further came to light that, on

18.07.2025, the applicant and the victim together travelled to Akola Naka and thereafter to Pune, Nashik, Shegaon, and ultimately returned to Akot. Pursuant to the said report, the investigation was set in motion, and the applicant has been in custody since 22.07.2025.

4) According to the applicant, he has been falsely implicated in the present case. It is contended that there is nothing further to be seized, recovered, or investigated. The applicant asserts that he has no criminal antecedents and that no useful purpose would be served by keeping him in custody. It is further submitted that there existed a love affair between the applicant and the victim. The victim, being of an age of understanding and maturity, is stated to have voluntarily accompanied the applicant owing to their mutual relationship. The applicant expresses his readiness to abide by any conditions that this Court may deem fit to impose. On these grounds, he prays for grant of bail.

5) The victim has filed her reply at Exhibit 8, wherein she has affirmed that there was indeed a love affair between herself and the applicant and has requested that the applicant be released on bail.

6) On the other hand, the prosecution has opposed the application by submitting that the offence alleged is of a serious nature. It is contended that the consent of the victim is immaterial in law, and the record demonstrates that sexual intercourse occurred without her consent. The medical

evidence as well as the victim's statement recorded under Section 183 of the Bharatiya Nyaya Sanhita, 2023, provide corroborative support to the prosecution's version. It is therefore argued that there exists prima facie material indicating the applicant's culpability and that the application for bail deserves to be rejected.

7) Heard Ld. Advocate Shri R. D. Pawar for the applicant and Ld. APP Shri Deshmukh for the State Prosecution. Perused the available material.

8) Points for determination and findings thereon are as follows.

<b>Sr.No.</b>	<b>Points</b>	<b>Findings</b>
1.	Does the applicant prove that, he has made out ground for bail u/S.483 of B.N.S.S.?	Yes.
2.	Whether the applicant is entitled to bail as prayed for ?	Yes.
3.	What order ?	The application is allowed.

**REASONS**

**As to Point Nos.1 and 2 :**

9) While appreciating merits of the application contentions, it is observed that the investigation in the present matter has been completed. Nothing further remains to be seized, recovered, or investigated. It is material to note that the statement of the victim has been recorded under Section 183

of the Bharatiya Nyaya Sanhita, which nowhere indicates that the applicant exerted any force, pressure, or coercion upon the victim to engage in intercourse.

10) It also appears that the applicant has no criminal antecedents and that the victim has raised no objection to the grant of bail. In view of these circumstances, further detention of the applicant would serve no useful purpose. Accordingly, the applicant deserves to be released on bail subject to certain conditions. Hence, the following order :

**ORDER**

1. The application is allowed.
2. Applicant Sushil @ Chhotu Raju Telgote be released in Crime No.270/2025 registered with Akot City Police Station for offences punishable under Sections 64(2)(m) and 137(2) of the Bhartiya Nyaya Sanhita, 2023 read with section 4(1), 8 and 12 of the Protection of Children from Sexual Offences Act, 2012, on P.B. and S.B. of Rs.25,000/-.

Place : Akot.  
Date : 12.11.2025.

**(B. M. Patil)**  
**Additional Sessions Judge,**  
**Akot.**

**C E R T I F I C A T E**

I hereby certify that the contents of this PDF file are word to word as per the original order.

Name of Stenographer : L. S. Raniwal  
Name of Court : Court of A.S.J., .Akot.  
Date of pronouncement of judgment : 12.11.2025.  
Judgment signed by the PO. on : 12.11.2025.  
Date of uploading PDF on : 12.11.2025.