



Spl.Case No.215/2017
MHAM010037132017
State Vs. Rahul

ORDER BELOW EXH. 104

1. This application for bail is made under Section 483 of the Bhartiya Nyaya Sanhita, 2023 concerning Crime No. 52/2017 (Special Case No.215/2017) registered at Bhatkuli Police Station, Amravati. The charges against the accused include offenses under Sections 363, 376(2)(i)(j)(l)(n), 376(d), 34 of the Indian Penal Code and Sections 4 and 6 of the Protection of Children from Sexual Offences Act.

2. Mother of the minor victim, has lodged report that on 01-04-2017 at about 11.00 a.m. victim asked her mother to take he to tailor but informant promised her that they would go in the evening. Thereafter, informant started her routine work inside the house. After some, victim could not find in the house. Search of the victim was taken in neighbourhodd and with relatives but could not be found. Hence, report came to be lodged.

3. The applicant/accused Yogesh Shankar Marathe was arrested in execution of non-bailable warrant. Say of the victim was called. The victim filed her say and opposed the application. The learned Additional Public Prosecutor (APP) opposes the bail application on the ground that the accused may not attend the court, if released on bail.

4. Upon careful consideration of the charge sheet, it appears that the accused was absconding since long. Many times non bailable warrants were issued against him. Even Proclamation was issued against this accused. The case is of the year 2017 and it is pending

more than 8 years. Another accused is attending the court. This trial is prolonged due to absence of the present accused. He appeared after issuing Proclamation against him and after issuing standing non bailable warrant against him. Thus, it is clear that if released on bail, he may again remain absent and trial could not proceed. For this discussion, I am not inclined to release the accused on bail. Hence, the order.

ORDER

Application is rejected.

Dated :16.12.2025

(Yashwant A. Goswami)
Special Judge (POCSO)
Amravati.