MHAU040005702025

Special Case No.32/2025
The State Vs. Kishor Vilas Wagh

Order below Exh.4
(Passed on : 07.05.2026)

1. This application filed by accused for ***regular*** bail, under section 483 of BNSS, 2023 for enlarging him on regular bail in a Crime No.169/2025 under section 74, 75, 352, 351(2), 115(2), 324(2) of the Bhartiya Nyaya Sanhita, 2023, under section 3(1)(r)(s), 3(1)(w)(i)(ii) and 3(2)(va) of the S.T. and S.T.Act, registered at Vaijapur Police Station.

2. The Investigating Officer and the learned APP opposed the application vide common say.

3. ***Concise story of the prosecution case is as under :-***

Informant lodged report that on 05.04.2025 at 10.00 p.m. she along-with her family were at house. At that time accused came there and told her husband to give him back Rs.900/-, on which her husband given him understanding that he will give money later as he had in drunken condition. At that time accused gave him slap and said तुम्ही भिल्लटे माझ काही करु शकत नाही. When informant tried to intervene quarrel accused caught her neck, pressed her breast and said तु या भिल्लाटाकडे कशाला राहते माझ्या सोबत चल मी तुला पैसे देतो and thereby outraged the modesty of informant. On hearing her noise

her family members came and rescued her. Accused threatened her husband that he will cause damage to their vehicle. Hence, the FIR.

5. Learned advocate for the applicant submitted that, applicant/accused has no concern with the offence and has not committed any offence. Due to political rivalry this case is registered against him. Accused is permanent resident of Vaijapur taluka therefore there is no chances of fleeing away. Accused is only bread earner in his family and his family is dependent on him. Investigation is completed and now charge-sheet is filed. Therefore there is no ground to put accused behind bars. Accused is ready to abide all the terms and conditions. With this, it is prayed to release the accused on bail.

6. Per contra, learned APP has filed his say overleaf the application and resisted the application on the ground that, the offence is under SC & ST Act. There is danger to life of informant and prayed to reject the application.

7. Post receipt of the notice informant caused her appearance and filed say on record vide Exh.5. She raised strong objection for enlarging applicant/accused on bail. It is submitted that offence is serious. Accused after consuming liquor abused her on her caste and threatened. He may commit similar offence with her. Lastly prayed to reject the application.

8. Perused charge-sheet also gone through the papers on record. It is seen that investigation of crime is over and now charge-sheet is filed before the court therefore the physical custody of accused for investigation purpose is not required. The accused is already released on notice under

section 35(3) of BNSS which shows that the custody of accused is not required to IO. Therefore putting the accused behind bar is not warranted considering the nature of offence. Hence the allay raised by learned APP can be taken care by imposing certain terms and stringent conditions. Hence, I pass the following order :-

O R D E R

1. The application Exh.4 is allowed.

2. Accused be released on bail on their executing P.R. bond of Rs.15,000/- (Rs.Fifteen thousand only)each with one solvent surety in the like sum on the following conditions -

i Accused shall not tamper the prosecution witnesses.

ii He shall submit verified copy of their Aadhar Card as well as other address proof along with their mobile number.

iii He isfurther directed to submit a list of at least three blood relatives with their detail residential addresses and also the addresses of their place of work with documentary proof of showing the correctness of the details produced by them.

iv He is also directed that he and his sureties should submit copies of at least two documents amongst their respective Passport, Pan Card, Bank Passbook, Credit Card with photograph, Ration Card, Adhar Card, Electricity Bill,Liberation Serif Landline telephone bill, Voter I.D. Card issued by the Election Commission of India and Property Tax Register while furnishing the bail.

v He shall not tamper with the prosecution evidence in any manner and shall not indulge in any type of criminal activity. If it is noticed that he involved in such type of offence the prosecution will be at liberty to move for cancellation for bail.

3. Accused shall remain present on every fixed date given by the Court.

4. Any observation made in this order is made only for limited purpose of deciding this bail application and it shall not come in the way of trial during the trial.

5. Failure to obey any of the conditions above, would be liable for cancellation of bail granted to accused.

DISTRICT COURTS MAHARASHTRA
सत्यमेव जयते

Digitally signed by
SUSHMA KARUNESH
UPADHYAY
Date: 2026.05.07
15:18:22 +0530

Date : 07.05.2026

(Smt. S. K. Upadhyay)
Special Judge (SC & ST Act),
Vaijapur, District Aurangabad.