

**IN THE COURT OF THE ADDL. SESSIONS JUDGE AT AMBAJOGAI,
DISTRICT BEED**

Criminal Bail Application No. 104 of 2026

CNR No. MHBI040002342026

Ajay @ Samadhan S/o Vachishta Lahane

Versus

State of Maharashtra

ORDER BELOW EXH.1

A. Case Details

Crime No. 336 of 2025 is registered at Parli Rural Police Station, District Beed, for offences punishable under Sections 137(2), 64(1) of the Bharatiya Nyaya Sanhita, 2023, Sections 4, 6, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012, Sections 3(1)(w)(i)(ii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, and Sections 9, 10 and 11 of the Prohibition of Child Marriage Act.

The FIR came to be lodged on 30.07.2025 alleging that the minor daughter of the complainant went missing from the house and was suspected to have been taken away by an unknown person.

B. Role Ascribed to Applicant

During investigation, the present applicant came to be implicated. The statement of the victim indicates that she was acquainted with the applicant and had developed a love relationship with him. It further appears that she voluntarily left her house and

accompanied the applicant. The material on record shows that both of them stayed together at different places, performed marriage rituals, and cohabited. It is alleged that during this period physical relations took place between them and the victim was found to be pregnant.

C. Investigation Status

The applicant was arrested on 21.02.2026 and was remanded to custody. Since then he is in judicial custody. The investigation papers including statement of victim and other material have been collected. At this stage, the matter is to be considered on prima facie material.

D. Criminal Antecedents

No material is placed on record to show that the applicant has any criminal antecedents.

E. Previous Bail Applications

There is no material to indicate that any previous bail application has been filed or rejected.

F. Custody / Objection of Prosecution

The applicant is in custody. The prosecution has opposed the application on the ground that the offence is serious in nature, the victim is a minor, and there is possibility of influencing the victim and witnesses if the applicant is released on bail.

2. Learned counsel for the applicant submits that the applicant has been falsely implicated. It is submitted that the victim had voluntarily accompanied the applicant and there was no force, threat or

inducement. It is further submitted that the applicant is in custody since February 2026, the investigation is substantially completed and therefore further detention is not necessary.

3. Learned Additional Public Prosecutor strongly opposed the application. It is submitted that the victim is a minor and serious offences under the POCSO Act are attracted. It is further submitted that there is likelihood of the applicant influencing the victim and tampering with prosecution evidence.

4. Heard learned counsel for the applicant and learned Additional Public Prosecutor for the State. Perused the application, say of the Investigating Officer vide Exh.9, say of the learned APP vide Exh.8, FIR, statement of victim vide Exh.12 and other material placed on record.

5. I have carefully considered the rival submissions and perused the material on record. At the outset, it is not disputed that the victim was below 18 years of age at the relevant time. Therefore, her consent has no legal validity under the provisions of the POCSO Act. However, the statement of the victim prima facie indicates that she was acquainted with the applicant and had developed a love relationship with him. It further appears that she voluntarily left her house and accompanied the applicant and resided with him for a considerable period. The material on record also shows that both of them performed marriage rituals and cohabited.

6. There is no prima facie material to indicate use of force, threat or inducement at the stage of leaving the house. The applicant is in custody since 21.02.2026. The investigation appears to be substantially completed and further custodial interrogation of the

applicant is not shown to be necessary. The apprehension of the prosecution regarding tampering with evidence and influencing the victim can be addressed by imposing appropriate conditions. As regards applicability of provisions of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, at this stage, there is no specific material indicating that the offence was committed on the ground of caste so as to attract the statutory bar to grant of bail.

7. At the stage of bail, detailed appreciation of evidence is not required. Considering the nature of allegations, the material placed on record, period of custody and overall circumstances, this Court is of the opinion that further detention of the applicant is not warranted. The application deserves to be allowed. Hence, I proceed to pass following order.

ORDER

- 1] The Criminal Bail Application No. 104/2026 is allowed.

- 2] Applicant/accused **Ajay @ Samadhan S/o Vachishta Lahane, Age 20 years** be released on bail in crime No.336/2025 of Parli Rural Police Station for the offence punishable under Sections 137(2), 64(1) of the Bharatiya Nyaya Sanhita, 2023, Sections 4, 6, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012, Sections 3(1)(w)(i)(ii) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, and Sections 9, 10 and 11 of the Prohibition of Child Marriage Act on executing P. R. and surety bond of Rs.25,000/- (Rs. Twenty Five Thousand only) on furnishing solvent surety in the like amount.
 - a) Applicant/accused is directed to remain present before the Court on every date and in emergency if he will not able to present

before the Court then he shall request for exemption of his personal attendance by filing application through his advocate.

b) He shall not tamper prosecution witnesses and co-operate with the investigation.

c) He shall submit a list at least 3 blood relatives with their detail residential and place of work addresses and produce documentary proof of showing the correctness of the details produced by them.

d) He and his surety must necessarily inform the police authority as well as Court the change of their residential address while the accused are on bail.

e) He shall submit copies at least two documents amongst the following:-

(i) passport, (ii) PAN card, (iii) Bank passbook, (iv) Credit Card with photograph, (v) Ration Card, (vi) Electricity bill, (vii) Land-line telephone bill, (viii) Voter ID Card and (ix) property tax register.

f) He shall report once in a week to the concerned police and once in a month to the Court where case is pending during the pendency of trial after the charge-sheet is filed.

g) Applicant/accused to take note that whenever he will re-arrest after he had absconded or whenever he was arrested after warrant was issued to his non appearance pursuant to the summons, he shall not be released on bail without special reason recorded by Court.

h) The breach of any of the condition will entail for cancellation of bail.

i) He will not involve in any crime in future.

3] The applicant/accused shall cooperate with the investigation and shall remain present before the Investigating Officer as and when called.

4] The applicant/accused shall not leave India without prior permission of the Court.

5] In view of Judgment passed in SMW (Cr) No. 04 of 2021 in Re: Policy Strategy for grant of bail, copy of this order be sent to the concern Judicial Magistrate, F.C. and Jailor, Beed.

6] Hamdast allowed.

(Dr. Rachna R. Tehra)

Dt. 01/04/2026

Additional Sessions Judge,
Ambajogai.

Certificate

I affirm that, the contents of this P.D.F file are word to word as per original Judgment / order.

Dictated on : 01/04/2026

Transcribed on : 01/04/2026

Checked and signed on : 01/04/2026

Sd/-

(Kailas D. Chavan)

Stenographer