

MHBI04000
4602026



Cri. Bail Application No. 215/2026

Sidharth Bhagwan Hajare

Vs.

State of Maharashtra

ORDER BELOW EXH.01.

(A) CASE DETAILS

1	FIR number and date	208/2026, dt.30.05.2026
2	Police station, District and State	Ambajogai city, Beed, Maharashtra
3	Sections invoked	74, 75, of BNS and 8 and 12 of POCSO Act.
4	Maximum punishment prescribed	Upto 10 years or life imprisonment and fine.

(B) CUSTODY AND PROCEDURAL COMPLIANCE

1	Date of arrest	30.05.2026
2	Total period of custody undergone	Till today

(C) STATUS OF TRIAL

1	Stage of proceedings (Investigation / Charge-sheet / Cognizance / Framing of Charges / Trial)	Investigation
2	Total number of witnesses cited in the charge-sheet	No.
3	Number of prosecution witnesses examined	No.

(D) CRIMINAL ANTECEDENTS

1	FIR and Police Station	No.
2	Sections	No.
3	Status (Pending / Acquitted / Convicted)	No.

(E) PREVIOUS BAIL APPLICATIONS

1	Court	No.
2	Case No.	No.
3	Outcome of case	No.

(F) COERCIVE PROCESSES

1	Whether any Non-Bailable Warrant was issued	No.

2	Whether declared a proclaimed offender	No.
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1. This is an application preferred by the applicant under section 483 of the Bharatiya Nagarik Suraksha Sanhita 2023 seeking his release on regular bail in connection with Crime Number 208/2026 registered with Ambajogai City Police Station for the offences punishable under sections 74 and 75 of the Bharatiya Nyaya Sanhita 2023 read with sections 8 and 12 of the Protection of Children from Sexual Offences Act 2012.

2. The factual matrix of the prosecution case as emerging from the first information report is that the informant Vaishali Laxman Maske lodged a complaint alleging that on 29/05/2026 a death anniversary program was organized at the house of her neighbour Suryakant Hajare. The applicant who is the brother of Suryakant Hajare had come from Nagpur to attend the said program and at about 19.00 hours the nine year old granddaughter of the informant namely Akshita was playing with her friends in the mandap. It is alleged that the applicant called the minor victim near him asked her name and on the pretext of taking a selfie on his mobile phone put his hand on her shoulder pulled her close and inappropriately pressed her chest. The victim became terrified pushed him away and immediately ran to her grandmother to narrate the incident. When the informant confronted the applicant he denied the allegations and claimed that the child was lying and he was merely showing affection. Subsequently the grandfather Laxman Maske and uncle Nikhil Maske gathered at the spot and

questioned the applicant who maintained his denial. Based on these allegations the crime came to be registered on 30/05/2026 and the applicant was arrested and remanded to magisterial custody.

3. Heard the learned advocate Shri A R Lomte appearing for the applicant and the learned Additional Public Prosecutor Shri L B Phad appearing for the State.

4. The learned advocate for the applicant vehemently submitted that the applicant is innocent and has been falsely implicated in the present crime due to a mere misunderstanding. He argued that the alleged spot of the incident was a crowded place with a religious program ongoing making it highly improbable for anyone to commit such an act in full public view and the entire episode has been blown out of proportion. The learned advocate pointed out that the material investigation is already completed the spot panchnama has been conducted and the statements of material witnesses have been recorded therefore further incarceration is unwarranted. The applicant is a labourer and the sole earning member of his family who will face severe hardship and starvation if he is not released on bail.

5. Per contra the learned Additional Public Prosecutor strongly resisted the application contending that the offence is of a very serious nature involving a minor girl of tender age and there is a strong prima facie case against the applicant. The investigating officer in his written report has raised a strong apprehension that since the applicant is a resident of Nagpur he may abscond and evade the trial if released on bail. It was further argued by the State that releasing the applicant

on bail may create a danger to the prosecution witnesses and he may pressurize the informant and the victim thereby derailing the course of justice.

6. Upon careful consideration of the rival submissions and the material placed on record it is evident that the incident allegedly took place during a family gathering in a mandap where several people were present. The defense has raised a plausible argument regarding the lack of criminal intent and the improbability of committing such an offence in a crowded place which is a matter of detailed appreciation during the trial. The record reveals that the investigation has progressed substantially as the investigating officer has already conducted the spot panchnama and recorded the statements of the grandfather Laxman Maske and the uncle Nikhil Maske. Furthermore the statement of the minor victim has also been recorded before the magistrate under section 183 of the Bharatiya Nagarik Suraksha Sanhita.

7. The fundamental principle of criminal jurisprudence is that bail is the rule and jail is an exception and pre trial detention cannot be resorted to as a measure of punishment. The applicant has been in custody since his arrest on 30/05/2026 and his further custodial interrogation is no longer required for the purpose of investigation. The apprehension of the prosecution that the applicant being a resident of Nagpur might abscond or tamper with the prosecution evidence can be adequately taken care of by imposing stringent conditions upon him. Keeping in view the facts and circumstances of the case the completion of substantial investigation and the readiness of the applicant to furnish surety and cooperate with the investigating agency I am of the

considered opinion that a case for grant of regular bail is made out.
Hence order.

ORDER

- (1) The application is therefore allowed.
- (2) The applicant Sidharth Bhagwan Hajare is released on bail in Crime Number 208/2026 registered with Ambajogai City Police Station on his executing a Personal Recognizance bond of Rupees Twenty Five Thousand with one or two solvent sureties in the like amount.
- (3) The applicant shall attend the Ambajogai City Police Station as and when called upon by investigation officer till the filing of the charge sheet.
- (4) The applicant shall not directly or indirectly make any inducement threat or promise to the informant the victim or any person acquainted with the facts of the case and shall not tamper with the prosecution evidence in any manner.
- (5) The applicant shall furnish his permanent residential address and mobile phone number to the investigating officer and shall not leave the jurisdiction of the State of Maharashtra without the prior permission of the trial court.
- (6) 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 Jailor, Beed electronically.
- (7) Bail before this court.

Place : Ambajogai
Date : 06.06.2026

(Dr. Rachna R. Tehra)
Additional Sessions Judge,
Ambajogai.

CERTIFICATE

"I affirm that all the contents of this PDF file are word to word as per original judgment/order".

Dictated on : 06.06.2026

Transcribed on : 06.06.2026

Checked & Signed on : 06.06.2026

Date : 06.06.2026

A.S.PANHALE
STENOGRAPHER GR-1