

MHBI180001492026



Cri. Bail Application No. 65/2026

Madhukar @ Madan Vishashwanath Maske

Vs.

State of Maharashtra

:: ORDER BELOW EXH. 1 ::

Application under section **483** of the B.N.S.S.,2023 for regular bail in Crime No. 326/2025 of Yusufwadgaon police station for the offence punishable under sections 333, 115(2), 75, 76, 78, 79, 64, 352 and 351(2) of the B.N.S.,2023.

Brief contents of this application and argument of the accused are,

1. Victim informant lodged report on 24/12/2025 alleging that her farm is near to the accused farm. Since last 8 days prior to this report, accused was following her and using bad words like “I like you, you come with me” and outraged her modesty. On 24/12/2025 at about 9.30 a.m. while informant was alone in front of the house the accused had came with pretext to give her bringel and thereafter he said “I plugged bringel for you, come with me I will give you bringel.” Thereon she said “do not come here and what is your concerned, do not harass me.” As soon as she said accused assaulted by hands, dragged her saree and forcibly took her in the shed of his farm and did forcible sexual intercourse with her. Further it is alleged that the accused abused her and committed rape. Therefore, offence is registered for

above offences against the accused. He was arrested on 24/12/2025 and now he is in Judicial custody.

2. The accused has filed regular bail application No.3/2026 on 02/01/2026 that was rejected on 12/01/2026, that was rejected on the grounds that investigation is not completed and there is possibility of threatening and pressuring the victim and another witnesses. Now the investigation is completed, charge-sheet has been filed. This is changed in circumstances, however accused sought bail on the grounds that he has not committed any offence, he is falsely implicated in the said crime to harass, there is no direct or indirect evidence, there is dispute between the informant victim and accused on the grounds of their lands and nothing is remained to seize from the accused. It is further stated that he is having immovable property and permanent resident at said village, he is ready to abide all terms and conditions. With this request to release him on bail.

3. Notice served to the informant at Exh. 6, but she did not come nor file her say.

Say of the prosecution at Exh. 5 and Argument.

4. The nature of offence is serious and grievous one. This is offence against the women i.e. relating to outraging the modesty of women and rape. There are prima-facie evidence against the accused about the said offence. In that circumstances, if the accused is released on bail then he will commit again same or other nature of offence as

well as he will tampering the prosecution evidence and requested to reject this application.

REASONING AND ORDER

5. As per the settled principle of law it does not requires mini trial while deciding the bail application. As per the information of the accused he has not filed any other application except this application or not pending or decided any other application except application No. 3/2026. Admittedly, charge-sheet has been filed in the court.

6. Considering relevant facts in the FIR such as nature of the accusation is serious one like the offence of rape and outraging the modesty of women and gravity of offence is also serious one. As per the allegations the informant is only person and eye witness, who is the one against whom said offence is committed and she has stated facts in the FIR, so there is prima-facie material against this accused.

7. This court has also considered facts that the investigation is completed, statement of witnesses have been recorded, no recovery is pending and charge-sheet has been filed against the accused on 20/02/2026. So it requires to decide said case on merit in accordance with law. But it requires some time for final adjudication. In such circumstances, it requires to see whether it is just to release the accused on bail or not.

8. As per the statement of accused there is no criminal antecedent or conviction or other criminal cases pending against him.

The accused is in Jail since 24/12/2025, it means last three months. As per the statement of accused except one regular bail application No. 3/2026 which is decided on 02/01/2026 there is no other bail application preferred, pending or decided by any another court. He is permanent resident of the village Savleshwar P. Tal. Kaij and having immovable property like agricultural land. He is not found habitual or having any criminal history. From these facts and circumstances, there is no possibility appear that the accused will tamper the prosecution's evidence or pressurize the witness or absconding or fleeing, of accused if released on bail, or not found danger if accused is released on bail. So as per settle principle of law, bail is rule and Jail is exception. In that circumstances, it is just to release the accused on bail with some conditions.

Pass following order.

ORDER

1	Application is allowed.
2	Accused Madhukar @ Madan Vishashwanath Maske in Crime No. 326/2025 of Yusufwadgaon police station for the offence punishable under sections 333, 115(2), 75, 76, 78, 79, 64, 352 and 351(2) of the B.N.S.,2023 is released on bail after furnishing PR bond of Rs. 25,000/- (Rupees Twenty Five Thousand Only) with one surety of like amount.
3	Accused shall not make any contact, communication in any way to the victim or her family members till decision of this case.

4	He shall not pressurize or influence of the prosecution's witnesses in any way or manner.
5	Breach of the aforesaid conditions shall entail cancellation of bail with immediate effect.
6	Bail may be furnished before JMFC., Kaij.
	(Pronounced in open Court)

Place : Kaij

Date : 23/03/2026.

(**Rahimat K. Shaikh**)

Additional Sessions Judge

Kaij.

CERTIFICATE

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

Dictated on : 23.03.2026

Transcribed on : -----

Checked & signed on : 24.03.2026

sd/-xx

(S. S.Nakhate)

Stenographer Grade-3,