

1 **Special (Pocso) Case No.55/2025**
State Vs. Suhas Shrihari Munde
(Order below Exh.05)

MHBI180004572025



ORDER BELOW EXH.05

01. This is the bail application u/sec. 483 of B.N.S.S. preferred by Applicant/ Accused Suhas Shrihari Munde in Crime No. 191/2025 registered with Police Station Kaij, Tq. Kaij, Dist. Beed for the offences punishable under sections 65(1), 74 of B.N.S. of 2023 and Section 4 6, 8 and 12 of POCSO, Act along with Section 9, 10 and 11 of Child Marriage Restraint Act.

2. It is the case of the prosecution as per FIR that victim aged about 14 years 07 months 21 days lodged FIR at Police Station, Dharur that she is residing with her mother and two brothers. She is studying at 7th standard at Zilla Parishad School, Gadhepalli, Telangana. Her maternal aunt and uncle had gone to the Karnataka State for cutting of sugarcane. She also had gone with them. At that time, accused Suhas, his mother Chandrakala, father Shrihari, brother Sunil,wife of sunil namely Jayshree and brother of Suhas namely Sukshala alongwith her husband Madhukar were also with them for sugarcane cutting. At that time, the sister of Suhas, Sukshala requested the victim to marry with his brother Suhas. After completing the season, she returned to her house at Pardi Taluka Kinwat. The said Sukshala contacted with the victim and again put proposal of marraige. Her mother and the said Sukshala developed good relations between them. Prior to one month of FIR, victim alongwith her mother and brothers had gone to

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Bhogalwadi to meet with said Sukshala. There was talk between her mother and Sukshala and her marriage was fixed with accused Suhas. On same day, the marriage was performed and after marriage, the victim gone to the house of accused Suhas for cohabitation. During that period, sexual relations were developed between victim and Suhas. Sometime accused Suhas initiated sexual relations forcibly with victim. Thereafter, the victim lodged FIR. Present accused / applicant is arrested by the police and produced before the court on 01/06/2025 since, then he is in custody.

03. It is submitted by the applicant that he is falsely implicated in the case. Prima facie no case is made out against him. The victim has not filed any complaint or put the criminal law in motion immediately after the alleged incident of the marriage or physical relations committed by present applicant. There is inordinate delay for lodging the complaint which itself creates serious doubt about the authenticity of the allegation. All the investigation is completed. Accused is respected citizens and he is having his liabilities. Accused is ready to abide all the conditions imposed on him. He is ready to furnish surety bond as per order of the Court. In such circumstances no purpose will suffice by keeping the applicant /accused behind bar.Hence, prayed for release the applicant/accused on bail.

04. Learned APP as well as I.O. strongly objected the bail application on the ground that, offence is serious. If the accused is released on the bail he will tamper the witnesses and accused is again commit similar offence. The victim is in the custody of Child Welfare

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Committee. She has not filed reply.

05. Heard both sides, perused record. After going through the charge-sheet, particularly, the statement of victim recorded by JMFC, it appears that the victim has been exploited as well as trafficked for illicit sexual intercourse. The accused was having knowing that victim is children as being minor. In spite of that he committed penetrative sexual assault. The offence is serious. In such circumstances, when prima facie case is made out, accused is not entitled for bail. With this discussion, I proceed to pass the following order;

ORDER

- 1] The bail application of applicant / applicant Suhas s/o Shrihari Munde is hereby rejected.

Date :- 13/08/2025.

(S.B.Bhajipale)
Addl. Sessions Judge,
Kaij

CERTIFICATE

“I affirm that the contents of this PDF file are word to word as per original Judgment/order.”

(N.K. Jojare)
Steno

Dictated On : 13/08/2025.

Transcribed on : 13/08/2025.

Checked & signed on : 13/08/2025.