

MHBU010009682020



**IN THE COURT OF ADDITIONAL SESSIONS JUDGE, BULDANA**

**SPECIAL CASE NO. 48 OF 2020**

Shaikh Shakil Shaikh Israil ..Versus.. State of Maharashtra

**ORDER BELOW EXH.19**

(Passed on this 20<sup>th</sup> day of November 2025)

1] The present bail application is filed for grant of regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita in connection with Crime No.480/2020 registered with Police Station, Chikhli relating to the offences punishable under Sections 354-A, 354-D, 504, 506 of the Indian Penal Code read with Sections 12 of the POCSO Act.

2] The prosecution story in short, is that the informant/victim of 13 years filed the FIR stating that she along with her mother and aunt had come to the police station and stated that she is residing with her mother, brother. Divorce took place in between her mother and father. Her mother is doing the work of washing the utensils and clothes and is maintaining them. The victim is learning in 9<sup>th</sup> standard. Her date of birth is 13.5.2007. Since before on year, they have come to reside at the said place.

3] Since last 15 days, the applicant is wandering near their house. He is chasing and following her. He used to sing songs on seeing her. On 9.7.2020, when the informant and her friend had gone to

purchase vegetables, the applicant came over there and said that he loves her and he can do anything for her and asked her mobile number as he likes her. The victim avoided and asked him not to follow her. The victim got frightened as the applicant is a Gunda person. She narrated the incident to her mother. She also narrated the incident to the fiancée of the applicant. The fiancée of applicant made the applicant to understand. However, the applicant got annoyed and abused the victim as she narrated incident to his fiancée. The applicant threatened her of killing. So, the victim got frightened and filed the report.

4] In the application, applicant contended that there is civil dispute in between victim party and applicant party, so applicant is falsely implicated in the case. The charge is framed against the applicant. The custody of the applicant is not required. The punishment prescribed for the said offence is 7 years. The applicant is not having any criminal antecedence. He applicant showed readiness to co-operate in the investigation and requested to grant bail.

5] Learned APP Shri Khatri has filed say on the application itself and objected the bail application on the count that initially applicant was released on bail. During the trial, the applicant deliberately remained absent. One another offence was registered against him. He violated previous conditions of bail. So, requested to reject the bail application.

6] Notice was issued to the victim, but she remained absent. The reports to that effects are at Exh.22 and Exh.23 respectively. So, the application proceeded further.

7] Heard both the sides. Perused the record. It is found that the applicant was initially released on bail. The charge was framed against him on 28.10.2025. However, thereafter, he remained absent and NBW was issued against him. As he was in jail in another offence, production warrant was issued against him and thus, he is in custody of this Court. The offence with which the applicant is charged, does not require the custodial interrogation. Moreover, the charge-sheet is already filed. The charge is framed. So, no custody of applicant is required. Hence, on this count, the applicant can be released on bail. Hence, I pass the following order.

**ORDER**

- 1] Bail application (Exh.19) is allowed.
- 2] Applicant Shaikh Shakil Shaikh Israil be released on execution of PR.Bond of Rs.25,000/- with one surety in like amount, in Crime No.480/2020 registered with Police Station, Chikhli relating to the offences punishable u under Sections 354-A, 354-D, 504, 506 of the Indian Penal Code read with Sections 12 of the POCSO Act on following conditions;
  - A] Applicant shall not misuse the bail.
  - B] He shall not create any hurdle in the progress of trial.
  - C] He shall not contact victim in any manner and shall not stay wherever the victim stays.

Buldana  
Date:20.11.2025

**(Manjusha V. Deshpande)**  
Additional Sessions Judge,  
Buldana