

MHBU010011952025



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

**SPECIAL CASE NO. 71 OF 2025**

Shobha @ Lata Vishnu Karpe ..Versus.. State of Maharashtra

**ORDER BELOW EXH.5**

(Passed on this 17<sup>th</sup> day of October 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.220/2025 registered with Police Station, Dhad relating to the offence punishable under Section 65(2) of the Bharatiya Nyaya Sanhita read with Sections 4, 4(2), 8,10, 12 of the POCSO Act.

2] The prosecution story in short, is that the informant filed the FIR stating that in 2023, the applicant and her daughter i.e. the victim of 10 years resided in her house on rent basis. Thereafter, the applicant left the house for her work and went away.

3] On 17.7.2025 at about 6.24 p.m., the informant received mobile call on her mobile and one person talked with her on the said mobile and said that the victim has given her mobile number and has asked him to call her and the victim is saying that she wants to come to her. The informant made video call and got assured that the victim was with him. The informant told said person to drop the victim at her

residence. Said person dropped the victim to her house.

4] On inquiry by the informant, the victim started crying and told she does not want to go to home and she wants to stay with the informant. The informant gave her food and again inquired with her. At that time, the victim told that the applicant i.e. mother of victim performed third marriage with accused Vishnu Karpe and in May 2025 at about 12.00 p.m., accused Vishnu Karpe committed sexual assault on her, due to which her private part started bleeding. The victim suffered acute pains. The victim narrated the incident to her mother i.e. the applicant. The applicant asked her to keep quiet otherwise the accused will be sent to jail. The applicant made her to bath and washed her private part and then made her to sleep. After that, for many times, the accused Vishnu Karpe has committed sexual assault on the victim, but the applicant has not restrained the accused. So, the victim took out money from her deposit [गल्ला] and came to informant.

5] On 17.7.2025, the accused Vishnu and applicant inquired about the victim to informant. The informant told them that they would go to police station. Again on 18.7.2025, the accused Vishnu and applicant called the informant. So, the informant filed the FIR.

6] In the application, applicant contended that she was arrested on 19.7.2025. This is her second bail application. First bail application before filing of charge-sheet was rejected on 4.9.2025 vide RBA No.310/2025 on the count that investigation was in progress. But, now

investigation is completed. The charge-sheet is filed. So, no physical custody of the applicant is required for further investigation. The applicant has no criminal antecedence. The applicant showed readiness to co-operate in the investigation and requested to grant bail.

7] Learned Public Prosecutor Shri Bhatkar has filed say below Exh.7 and objected the bail application on the count that the accused No.1 committed rape upon the victim on 27.5.2025, 28.5.2025 and 30.5.2025. The victim is of 10 years. The applicant has caused disappearance of evidence as she washed private part of the victim and pressurized the victim not to disclose the incident to anybody. So, strongly objected the application by contending that applicant has committed serious and heinous offence.

8] Informant has filed say below Exh.11 and objected the bail application on the count that if the applicant is released on bail, she may pressurize the victim. She may tamper with the prosecution evidence. She has abetted accused No.1 to commit the offence. So, requested to reject the application.

9] Heard both the sides. Perused the record. It is found that the applicant was arrested on 19.7.2025. Since then, she is in jail. The I.O.has opportunity of custodial interrogation of the applicant. So, now there is no further need of custodial interrogation of the applicant. So, on this ground, the application can be allowed.

10] Now, investigation is completed. Charge-sheet is filed. In such circumstances, now there is no need of further custodial interrogation of the applicant. So, on this ground, the applicant can be granted bail.

11] It is the allegation of prosecution that the applicant has abetted the accused No.1 to commit the offence of sexual assault on the victim, so, the applicant is not entitled for grant of bail. It is found that the investigation process with regard to role of the applicant in commission of offence is completed and charge-sheet is filed on record. So, considering this, the applicant can be granted bail. Hence, I pass the following order.

**ORDER**

- 1] Bail application (Exh.5) is allowed.
- 2] Applicant Shobha @ Lata Vishnu Karpe be released on execution of P.R.Bond of Rs.25,000/- with one surety in like amount, in Crime No.220/2025 registered with Police Station, Dhad relating to the offences punishable under Section 65(2) of the Bharatiya Nyaya Sanhita read with Sections 4, 4(2), 8,10, 12 of the POCSO Act, 2012 on following conditions;
  - A] Applicant shall not misuse the bail.
  - B] She shall not create any hurdle in the progress of trial.
  - C] She shall not contact victim in any manner and shall not stay wherever the victim stays.

Buldana  
Date:17.10.2025

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