



**ORDER BELOW EXH.04 BAIL APPLICATION FILED UNDER
SECTION 483 OF THE B.N.S.S.**

(Passed on 02.04.2025)

1. Accused **Madhukar Ramesh Sonar** has filed this application for regular bail under Section 483 of B.N.S.S. as **Crime No.700/2024** is registered against him in Shegaon City Police Station for the offences punishable under Sections 376, 376(2)(n), 417, 506, 323 of the IPC & Section 3(1)(w)(i)(ii), 3(2)(va), 3(2)(v) of SC & ST (Prevention of Atrocities) Act.
2. In this case charge sheet is filed on 04.03.2025. This is the first bail application of the accused after filing of charge sheet. Pending investigation his bail application Cri.B.A.No.20 of 2025 was rejected on 20.01.2025 by DJ-1 & Additional Sessions Judge, Khamgaon.
3. State and victim filed reply at Exh.6 & Exh.07. I have heard Advocate Mr.R.S.Thate for the accused and APP Mr.P.T.Lahudkar for the State.
4. Advocate for the accused submits that, after demise of husband of victim she developed intimate relationship with the accused. Victim has two daughters so she knows pros and cons of having consensual sexual relationship. During 2015 to 2019 victim had not filed any complaint against the accused. There is a delay in filing complaint which is unexplained. The accused may be released on bail. Per contra, APP submits that the accused was knowing that



victim belongs to schedule caste. Under false pretext of marriage he had physical relationship with the victim. Hence, bail may not be granted.

5. I have gone through charge sheet. Complaint, FIR indicates that since 2015 victim was having relationship with the accused. Victim is a lady 30 years old and she have two daughters. As per complaint victim's husband passed away in the year 2015 and thereafter she developed relationship with the accused. As a matter of fact from 2015 till 05.12.2024 victim has not filed any complaint against the accused. This silence indicates consensual sexual relationship. Said delay is not explained anywhere.

6. The accused is resident of Erandol. Whereas the victim reside in Shegaon Taluka. So there would be no opportunity for the accused to tamper witnesses of prosecution. Previous bail application was rejected because investigation was pending. Now investigation has been done. Reply of State does not reflect previous criminal record of the accused. Physical custody of the accused will serve no purpose. Whether there was false promise of marriage or not can only be decided after recording evidence. There is a change in circumstance as investigation is completed. Thus, grounds are satisfactory. Hence, order.

ORDER

1.	Application Exh.04 is allowed.
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2.	Accused Madhukar Ramesh Sonar be released on bail on his executing PB & SB of Rs.25,000/- with one or more surety in like amount.
3.	The accused shall attend each date of hearing without fail.
4.	The accused shall furnish names and contact numbers of his two relatives.
5.	On furnishing bail and surety papers Hamdast is allowed.

Dt. 02.04.2025

(Prasad P. Kulkarni)
Additional Sessions Judge,
Khamgaon**Certificate**

I affirm that the contents of this P.D.F. file is correct,
word to word as per original order.

Name of Court : Addl. Sessions Judge, Khamgaon, Dist.Buldana.

Name of Steno : Govinda D.Bhoyte (Stenographer Grade-III)

Dictated on : 02.04.2025

Checked & Signed on : 02.04.2025

Decided on : 02.04.2025

Uploaded on : 02.04.2025