


<u>IN THE COURT OF SPECIAL JUDGE, KHAMGAON,</u>	
<u>DISTRICT BULDANA.</u>	
Present: Laxmikant A. Bidwai, Special Judge.	
MHBU040015342025	
 <u>Special Case No. 181/2025</u>	
<u>Applicant/ Accused</u>	Ishrat Jumma Jamulkar Age- 24 years, Occupation- Labour, r/o. Aalewadi, Tq. Sangrampur, District Buldhana.
<u>Represented by</u>	Mr. S. R. Ambhore, Advocate for the accused.
<u>Respondent</u>	State of Maharashtra, through P. S.O., Police Station Sonala, Tq. Sangrampur, District Buldhana.
<u>Represented by</u>	Mr. U. S. Apte, Ld. APP for the State

Order below Exh. 03.
(dated: 14/01/2026)

This is the first application by the accused Ishrat Jumma Jamulkar, under section 483 of the BNSS for grant of regular bail, in connection with Crime No. 238/2025 registered with Sonala Police Station, for the offence punishable under sections 64, 64(2)(i), 78, 351(2)(3), 352, 333 of the BNS and 4, 8, 10, 12 of the POCSO Act.

02. The notice was issued to the State and the victim. The state has filed the reply as per Exh. 04. Whereas the victim has caused her appearance through advocate S. M. Ahire and

filed the protest petition as per Exh. 07.

03. After gone through the charge-sheet and having heard both sides it appears that allegations against the accused are that on 13/09/2025 against the will and wish of the minor victim, the accused has committed penetrative assault on her. He has also snapped photos of such sexual activities. Further he had threatened to the victim that if she narrates the incident to anyone then he will kill her.

04. After completion of the investigation the charge-sheet is filed against the accused.

05. The accused is seeking the bail on the grounds that,

- a. he has been falsely implicated in this case.
- b. as the investigation is over therefore his custody is not required to the police.
- c. since 87 days he is behind bars.
- d. he is the only bread earner of the family.
- e. he is ready to abide each and every condition if any, imposed by the court.

06. The prosecution has strongly opposed the application on the grounds that,

- a. after due investigation there is sufficient material placed on record which suggests that the accused had committed penetrative sexual assault over the victim.

- b. the offence is very serious having severe punishment.
- c. if the accused released on bail then it can not be ruled out that he will commit similar kinds of offences.
- d. he may abscond.
- e. he may tamper the prosecution evidence.

07. The victim through her mother/complainant has opposed the bail application on the following grounds,

- a. even though the accused is behind bars but through his relatives are pressurizing to withdraw the case.
- b. there is every apprehension that he will kidnap the victim.
- c. in the event of release of the accused there is danger to the life of the victim.
- d. he may tamper the prosecution evidence.

08. After gone through the charge-sheet it appears that the statement of the victim recorded under section 183 of the BNSS plays the important role. From the said statement it appears that the accused had committed sexual penetrative assault over the victim, against her will and wish, so also, threatened her not to tell the incident to anyone else he will kill her. Further, it appears that the forensic report is still awaited. Beside this other evidence is collected by the investigating officer is seems to be corroboration of the allegations made against the accused. The punishment for the offences committed by the accused is upto the life. The Ld. APP U. S. Apte for the

State has made a statement that the prosecution is ready to commence the trial at the earliest.

09. In this scenario, I do not found grounds set up by the accused are justifiable grounds to release him on bail. Resultantly, I proceed to pass the following order.

ORDER

1. The application stands rejected.

Place: Khamgaon.
Date: 14/01/2026.

(Laxmikant A. Bidwai)
Special Judge, Khamgaon,
Dist. Buldana.

Certificate

I affirm that the contents of this PDF file order as correct word to word as per the original order or Judgment.

Name of the Court : Adhoc DJ-1 and ASJ, Khamgaon.

Name and designation : A. A. Tholbare, Stenographer (Grade-2)

Direct Typed on : 14/01/2026

Checked on : 14/01/2026

Signed on : 14/01/2026

Uploaded On : 15/01/2026