

IN THE COURT OF ADDITIONAL SESSIONS JUDGE, CHANDRAPUR**Sessions Case No. 58/2022**

Lalsham Bapurao Meshram] **Applicant/Accused.**

.V/s.

State of Maharashtra through] **Respondent.**
PSO, Police Station, Bramhapuri,]
Dist. Chandrapur.]

Order Below Exh. 14

The applicant has made this application u/s.483 of Bhartiya Nagrik Suraksha Sanhita, 2023 for releasing him on bail.

2] The facts in brief, for making this application, are as follows:

The informant/victim is married woman. Due to domestic dispute with husband, the informant/victim is residing separately from him. The applicant/accused is working as a Police Naik. In June, 2020 the informant/victim came in contact with the applicant/accused. The applicant/accused had made a love proposal to the informant/victim. However, she has refused for the same. Thus, the applicant/accused has threatened to kill the informant/victim and on multiple occasions had sexual intercourse with her. While having the sexual relationship with informant/victim, the applicant/accused had snapped some photographs of intimate situation and by using those photographs he blackmailed her for having relationship with him. He has also transmitted those photographs on WhatsApp group and also sent to the informant/victim. Thus, on 20.01.2022 the informant/victim gave a report to police station Bramhapuri against applicant/accused.

3] On that report, the officer in charge of the aforesaid police station has registered a crime bearing No.30/2022 for the offence punishable u/Ss. 376(2)(n), 354-D(1), 500 and 506 of Indian Penal Code and u/Ss. 67 and 67-A of The Information Technology Act, 2000 against the applicant/accused. In this crime, applicant/accused was arrested on 19.01.2022 and since then he is custody. Thus, the applicant/accused made this application for releasing him on bail.

4] Previously, applicant/accused has made some bail applications and same were rejected by the Court. This is successive bail application made on the ground of change in circumstances.

5] The ld. Advocate Mr. A. D. Hazare for applicant/ accused submits that, applicant/accused has not committed the alleged crime and he is falsely implicated in it. He submits that, there was a love affair between the applicant/accused and the informant/victim and the relationship between them was consensual in nature. He submits that, the informant/victim has lodged false report with police against applicant/accused. He submits that, since January 2022, applicant/accused is in custody and his further incarceration is unwarranted. He submits that the applicant/accused is resident of Chandrapur District, having no criminal antecedents. He submits that, the applicant/ accused is ready to abide by all the terms and conditions imposed by the court, if bail granted to him. He submits that, previous bail applications of applicant/accused were rejected. He submits that, since last four years, applicant/accused is in custody and trial yet to start, therefore there is change in circumstances to make this successive bail application. He prayed for grant of bail to the applicant/ accused.

6] The learned APP for the State has filed his say to the bail application. The learned APP Mr. A. S. Sheikh for the State submits that, nature of the offence is serious and sufficient evidence came on record to prove the guilt of accused. He submits that, there is possibility that the applicant/accused may abscond and will not be available for facing trial, if released on bail. He submits that there is also possibility of tampering the prosecution evidence, if the bail application is allowed. He submits that, previous bail applications were rejected by the Court and there is no change in circumstances to make this successive bail application. He prayed for rejection of the bail application.

7] The informant/victim appeared in the court and filed her say (Exh. 15) to the bail application. She strongly opposed the bail application by stating that if applicant/accused is released on bail then he may cause harm to her and her family. She prayed for rejection of bail application.

8] Perused the bail application, say thereon, written submission made by the informant/victim and charge-sheet. Heard Ld. Advocate for the applicant/accused and Ld. APP for the State. The allegations against applicant/accused are that, by threatening the informant/victim to kill her, he has repeatedly committed rape on her. He has also transmitted objectionable photographs of informant/victim on WhatsApp group. The applicant/accused is a police personnel and by using his authority, he has threatened the informant/victim for having sexual relationship with him and forcibly and repeatedly had sexual intercourse with her. The offence is serious in nature. Two previous bail applications were rejected by

this Court. The applicant/accused has also preferred bail application before the Hon'ble Bombay High Court and the same was also rejected on 25.10.2023. There is no change in circumstances to make this successive bail application. Apart from that, a person known to the applicant/accused had approached the informant/victim and threatened her for withdrawal of the case filed against applicant/accused. Thus, on 08.08.2025 the informant/victim gave a report to police station, Bramhapuri. On that report, non-cognizable case for the offence punishable u/Ss. 352 and 351(2) of BNS is registered against the said person. There is strong possibility that, the applicant/accused may threaten, pressurize or cause harm to the informant/victim to dissuade her from disclosing the true facts of case to the court, if released on bail. Considering the seriousness of the case, I find no reason to release the applicant/accused on bail. Hence, I proceed to pass following order.

:: ORDER ::

- 1] The bail application is hereby rejected.
- 2] Inform the concerned police station accordingly.

Date :- 14.02.2026

(P. M. Gupta)
Addl. Sessions Judge
Chandrapur
(Fast Track Special Court)