

MHCH040003052026

**ORDER BELOW EXH. NO.1**(Passed on 15th day of June, 2026)

(A) CASE DETAILS		
(i)	FIR number and date	494/2026
(ii)	Police Station, District and State	Chimur, District- Chandrapur (Maharashtra)
(iii)	Sections invoked	Sections 64(1), 64(2)(m) of the Bharatiya Nyaya Sanhita, 2023 r/w 4 & 6 of the Protection of Children from Sexual Offences Act, 2012.
(iv)	Maximum punishment prescribed	10 years.
(B) CUSTODY & PROCEDURAL COMPLIANCE		
(i)	Date of Arrest	15/05/2026
(ii)	Total period of custody undergone	01 month
(C) STATUS OF TRIAL		
(i)	Stage of proceedings (Investigation / Charge-sheet / Cognizance / Framing of Charges / Trial)	Investigation going on.
(ii)	Total number of witnesses cited in the charge-sheet	Investigation is not completed.

(iii)	Number of prosecution witnesses examined	Nil
(D) CRIMINAL ANTECEDENTS		
(i)	FIR No. & Police Station	Nil
(ii)	Sections	Nil
(iii)	Status (Pending / Acquitted Convicted)	Nil
(E) PREVIOUS BAIL APPLICATIONS		
(i)	Court	Nil
(ii)	Case No.	Nil
(iii)	Outcome of case	Nil
(F) COERCIVE PROCESSES		
(i)	Whether any Non-bailable Warrant was issued	Nil
(ii)	Whether declared a proclaimed offender	Nil

Applicant, **Vishal Duryodhan Garate**, is seeking bail under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 in Crime no.494 of 2026 for the offences punishable under sections 64(1), 64(2)(m) of the Bhartiya Nyaya Sanhita, 2023 r/w section 4 and 6 of the Protection of Children from Sexual Offences Act, 2012, registered with Police Station, Chimur.

02] In short, as per the prosecution, victim aged about 17

years got acquainted with applicant through social media (Instagram) from November 2025. On 09/01/2026 victim met with applicant. They went in one isolated field and undergone sexual relations. As they were in love victim did not resist the applicant from undergoing sexual relations with her. Thereafter, they physically came in contact with each other on several occasions and in the month of January 2026 the victim missed her menstruation cycle and came to know that she is pregnant. She did not disclose about her pregnancy in her house. However, her grandmother noticed from her figure that she is pregnant and then victim ordeal entire incident to her grandmother. Thus, on the report of victim instant crime came to be registered against the applicant.

03] Whereas, applicant submitted that he is innocent. He has not committed any such offence as alleged. They were in love relations. He is aged about 27 years. He is ready to co-operate with investigation. His custody is not required to the Investigating Officer for investigation. In such of state of affair, he sought bail.

04] On the other hand, the Ld. PP and Investigating Officer have strongly resisted the application stating that if the applicant is released on bail he may create, obstruction in the investigation. The applicant and the victim are residing at same village. Therefore, possibility cannot be ruled out that applicant may threaten, pressurize or make any inducement to the victim and other prosecution witnesses. The offence is serious one. Investigation is not yet completed. Therefore, they prayed for

rejection of the application.

05] Heard both the sides at length. Perused the case diary. On perusal of case diary it seems that applicant and victim were in love relations with each other from one year. During this period number of times they underwent sexual relations. Due to that the victim became pregnant and therefore, report is lodged. During investigation the victim was admitted in hospital and aborted. The applicant is aged about 27 years and victim is aged about 17 years. Thus, the victim is carrying the age of sufficient understanding. The applicant is arrested on 15/05/2026 and since then he is behind bar. The blood samples of the victim, applicant and abetus are already collected. The statement of victim u/s 183 of the B.N.S came to be recorded. The statement of other witnesses are also recorded. The case diary shows the investigation is at the verge of completion only the formality of filing of the charge-sheet remains. Thus, considering the manner in which the offence took place, in my view, no purpose would be served by allowing pre-trial detention of the applicant behind bar, particularly when the Investigating Officer does not require his custody for further detention. So far as the apprehension of the Investigating Officer is concerned, that can be taken thereof, by imposing certain conditions. Hence, following order :-

ORDER

- 1) The application is allowed.
- 2) Applicant, **Vishal Duryodhan Garate**, be released on bail on executing P.R. bond of Rs.40,000/- and one solvent surety in like

amount on conditions that :-

- (a) he shall report is presence to Police Station Chimur on every Tuesday at 11:00 a.m. until further order.
 - (c) he shall maintain diary of his attendance in Police Station and produce the same as and when called by the Court.
 - (d) he shall not try to contact the victim or any other prosecution witnesses or to threaten, pressurize or make any inducement to them.
 - (e) he shall not enter village Bhivkund, Teh. Chimur, Distt. Chandrapur, until further order.
 - (e) he shall not involved in similar offence.
- 4) Inform to the Investigating Officer accordingly.

Date 15/06/2026

(Atul K. Shah)
Addl. Sessions Judge,
Warora