



IN THE COURT OF DISTRICT JUDGE-3 & ASJ, GONDIA.

Spl(POCSO) Case No.5/2020.

(CNR NO.: MHGO010001202020)

State – vs – Rakesh and Others.

ORDER BELOW EXH.102.

(Passed on this 22nd day of September, 2025)

Perused the application and say of learned APP at Exh.116, say of IO at Exh.103 and say of victim/prosecutrix at Exh.117. Heard learned counsel for the applicant and learned APP. I have also gone through the case record.

2. It is the contention of the applicant that he is arrested in the year 2019 and since last 6 years he is in jail. No material witnesses are examined though charge is framed in the year 2013. The prosecution is prolonging the litigation. It appears that trial not likely to conclude in nearby time. Hence, he is entitled for bail.

3. Learned APP contended that matter is at stage of evidence and the earlier application for bail of the applicant was rejected. There is no change in circumstances since then. The police submitted that the applicant is the main accused

and he attempted to commit murder of the victim. He may tamper the evidence, if released on bail. The victim contended that she and her family having danger to their life from the applicant and he may threaten the witnesses, if released on bail. Hence, the application may be rejected.

4. It is the case of gang rape and the applicant has committed very serious and heinous offence. In the instant case the evidence of the victim and her mother is already recorded and their evidence clearly shows that the applicant has involved as main accused in committing offence against the victim. The case is at the stage of evidence. There is no change in circumstances since the rejection of earlier application of bail filed by the applicant. The applicant certainly likely to tamper the evidence and influence the witnesses remaining to be examined, if released on bail. Hence, he is not entitled for bail. In result I pass the following order:-

ORDER

1. The application is hereby rejected.

(K. N. Gautam),
Addl.Sessions Judge and Special
Dated : 22.09.2025 Judge (Under POCSO Act), Gondia.