

MHJN010005202026



IN THE COURT OF ADDITIONAL SESSIONS JUDGE-2, JALNA
CRIMINAL BAIL APPLICATION NO. 150 OF 2026

Rahul s/o Fakirba Warshil
and others

.... Applicants/accused

V/s.

The State of Maharashtra

.... Respondent/Prosecution

Appearance :

Shri.A.B.Ghule-Patil, the learned advocate for the applicants
Smt.J.B.Solanke, the learned A.P.P. for the State

ORDER BELOW EXH.1

(Delivered on : 22.04.2026)

The applicants have preferred application under the provision of Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as the "BNSS" for the sake of brevity), apprehending arrest in Crime No.20/2026 registered with Tembhurni police station under Sections 115(2), 352, 351(2), 351(3), 74, 3(5) of BNS.

02. As per the applicants/accused, 23 years old victim lodged complaint on 20.02.2026 contending that on 19.02.2026 at around 7 a.m., she was alone at home when applicants/accused No.1 went to her and inquired about her husband. He caught hold her hand with ill-intention. The applicants/accused No.2 and 3 also reached there and started pushing and shoving the victim, asking her, why her husband and father in law were pelting stone on their house since two days.

They pulled her and threatened to kill her. On hearing her cries, her relatives came and the applicants/accused ran away. Hence, the complaint was filed.

03. As per the applicants/accused, they are falsely implicated in the offence. On 19.02.2026, complaint was filed against informant and her family members by the wife of applicant/accused No.2 and to counter it, this complaint is filed. There is enmity between the families. Nothing is to be recovered at the hands of these applicants/accused. They are ready to abide by the terms and conditions of bail if imposed on them.

04. The prosecution resisted the application by filing say at Exh.04. It is contended that the offence is serious in nature. The applicants/accused No.1 outraged the modesty of the victim. The applicants/accused assaulted the victim and witness. Custodial interrogation is required to elicit information. The prosecution apprehends that in case the applicants/accused are released on bail, they will tamper the evidence and threaten the witnesses. Hence, the application is sought to be rejected.

05. The informant resisted the bail application by filing her say vide Exh.08. She contended that applicant/accused No.1 came to her house and caught hold her hand with ill-intention and outraged her modesty. Thereafter, applicant/accused Nos.2 and 3 abused and made hushing and pushing with her. They also pulled her hair and threatened her to kill. In case, the applicants/accused are released on bail, they will put pressure on her family and there is danger to her life in future from applicants/accused. Hence, the application is sought to be rejected.

06. Heard learned advocate Shri. A.B.Ghule-Patil for the applicants/accused and the learned A.P.P Smt.J.B.Solanke for the State. Perused the copy FIR and papers submitted by the prosecution.

07. The learned advocate for the applicant/accused submitted that, earlier also there were counter complaints between the parties. In the case filed against the applicants/accused, they were acquitted, whereas the relative of victim is convicted in another case. Therefore, this false complaint is filed. He relied on the copy of Judgment passed in R.C.C.No.136 of 2022 and R.C.C.No.121 of 2022 filed along with Exh.6.

08. From the reply of prosecution and police papers, it is seen that the investigation is almost completed and nothing nothing is shown to be recovered or discovered at the hands of this applicants/accused for which their custodial interrogation would be required. The apprehension of the prosecution can be taken care of by imposing stringent conditions on the applicants/accused. Hence, the applicants/ accused are entitled to be released on bail. With this, I pass the following order: -

ORDER

- 1) Criminal Bail Application No.150/2026 is allowed.
- 2) In the event of arrest of the applicant/accused No.1 **Rahul s/o Fakirba Warshil**, the applicant/accused No.2 **Fakirba s/o Laxman Warshil**, and the applicant/accused No.3 **Dhamma @ Kiran Fakirba Warshil**, in Crime No.20/2026, registered with Tembhurni Police Station, they be released on P.B. and S.B. of Rs.15,000/-(Rupees Fifteen Thousand only) each with one or two sureties in the like amount each, on the following conditions:-

- a) The applicants/accused shall appear before at Police Station Tembhurni on alternate Wednesday of every month between 01.00 p.m. to 04.00 p.m. till filing of charge-sheet.
 - b) The applicants/accused shall not contact the informant or witnesses in any manner.
 - c) The applicants/accused shall not tamper with the evidence.
 - d) The applicants/accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of this case so as to dissuade them from disclosing such facts to the Court or the police officer.
 - e) Breach of any condition will amount to cancellation of anticipatory bail forthwith.
- 3) Criminal Bail Application No.150 of 2026 stands allowed and disposed of accordingly.

(Dictated and pronounced in open Court).

Date: 22.04.2026

(NAZERA S. SHAIKH)
Additional Sessions Judge-2
Jalna.

CERTIFICATE

I affirm that the contents of this PDF file are word to word as per original.

Name of Stenographer : PS.Tayade
Name of the Court : Court of Addl. Session Judge, Jalna
Date of PDF : 22.04.2026

(P.S.Tayade)
Stenographer (Grade-I)