

MHJN010006812026

IN THE COURT OF ADDITIONAL SESSIONS JUDGE-03,
JALNA

Cri. Bail Appln. No. 208/2026

Tejas Santosh Shevgan & Anr.

Versus

The State of Maharashtra

ORDER BELOW EXH.01

Whether the applicant No. 1 and 2 are entitled to be released on anticipatory bail in terms of section 482 of B.N.S.S. is the only short point involved in the application for bail filed on behalf applicant 1 and 2.

02. Ld. A.P.P and the complainant were directed filed reply accordingly detail reply filed by learned I/c D.G.P. Shri. B.V. Ingle at Exh. 09 and by complainant at Exh. 8. Perused the same.

03. FIR is registered against the applicant and two more accused persons in Maujpuri Police Station for the commission of the offences punishable U/Sec.137(2), 64(1)(m), 3(5) of BNS r/w Sec. 4, 8, 12 of the POCSO Act. The allegations against both the applicants are only in respect of Sec. 16 of the POCSO Act. The brief contents of the FIR which is lodged by the mother of the victim are as follows ;

04. FIR is registered by mother of the victim in Maujapuri police station on 29.01.2026. In short, the contents of the FIR are as follows ;

05. On 28.01.2026 at about 9.00 p.m. complainant took dinner with the victim and at about 11.00 p.m. they went sleep. At about 1.00 a.m. complainant came out of her house to answer nature's call and found that the victim was not in the house. Complainant took search of the victim but she was not found. On next day complainant and her brother took search of the victim in their village but she was not found therefore complaint of missing was filed in Maujpuri police station.

06. Heard learned Advocate for applicants Shri H.P Lande as well as learned in charge D.G.P Shri B.V Ingle. I have also heard Ld. Advocate for complainant Shri. G.L. Mante.

07. It is contended by Ld. advocate for the applicants that the role of the both applicants as per case of the prosecution is limited there was love relationship between the victim and the main accused since three to four months and when mother of the victim came to know about their relations, she threatened victim to marry with another boy.

08. It is contended that, at the time of the incident the victim was 18 years old, therefore the provision of POCSO Act are not application. It is further contended that, victim and the main accused got married after submitting Adhar card and pan card of the victim which shows her age more than 19 years. The role which is attributed to both the applicants is limited. To the effect that, both the applicants instigated the offence with the main accused to marry with the victim.

09. Applicant No. 1 is agriculturist and his family is dependent on his income. Applicant No. 2 is married lady having two children. They have permanent residence at their natives villages. They are ready to follow the conditions for bail. In such situation, if the applicants are arrested it will caused irreparable loss to their reputation. Therefore, it is prayed that, application be allowed.

10. Application is strongly opposed by learned I/c D.G.P contending that, there is prima-facie involvement of both the applicants in the crime as well as in terms of section 16 of the POCSO Act as both the applicants abetted the offence which is committed by the main accused.

11. It is contended that, the victim at the time of crime was 17 years and 6 month old therefore prima-facie provisions of POCSO Act are attracted. The offences committed by both the applicants is serious in nature therefore their custodial interrogation is necessary. Therefore, it is prayed that, application be rejected.

12. Complainant / mother of the victim has also filed her reply at Exh. 8 and opposed the application contending that both applicants have helped main accused in commission of the crime. If they are released on bail they will pressurise the complainant and her family. Therefore, she has prayed to reject the application.

13. I have carefully perused investigation papers submitted by the Investigating Officer. The role of the both

applicants is limited and may be in the purview of section 16 of the POCSO Act i.e. abetment of the offences.

14. The contention of defence that, the victim is major and she has married with the main accused on the basis of her Adhar card and pan card, which shows her age more than 18 years also has to be taken into consideration.

15. Considering the allegations against both the applicants which are only in respect of abetment, it will be in the interest of justice to grant them anticipatory bail. As far as, objection raised by prosecution and complainant is concerned appropriate conditions can be imposed hence I proceed to pass the following order ;

ORDER

- 1] The application below Exh.01 in Cri. Bail Appln. No. 208/2026 is hereby allowed.
- 2] In the event of arrest of the applicant/accused No. 1) Tejas Santosh Shevgan and applicant/accused No. 2) Alka Rameshwar Rajput in Crime No.22/2026, registered with Maujpuri Police Station be released on P.B. and S.B. of Rs.25,000/- (Rupees Twenty-five Thousand only) with one or two sureties in the like amount, on the following conditions:-
 - a) The applicant/accused shall appear before at Police Station Maujpuri, on alternate Friday of every month between 01.00 p.m. to 03.00 p.m. till filing of charge-sheet.
 - b) The applicant/accused shall not tamper with the evidence.
 - c) The applicant/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.

- d) The applicant/accused shall not leave the jurisdiction of Jalna district, without prior intimation to the Investigating Officer, till filing of the charge-sheet.
- e) Breach of any condition will amount to cancellation of anticipatory bail forthwith.

3] Application disposed off accordingly.

(Krupesh V. More)
Addl. Sessions Judge-03,
Jalna.

Date : 01/04/2026

Certificate

I affirm that, the content of this PDF file are word to word as per the original order.

Name of the Stenographer : J.G. Mitkari

Name of Court : Addl. Sessions Judge, Jalna.

Sd/-
Stenographer