


MHKO010019512025 	<b>ORDER PASSED BELOW EXH.7 IN <u>SPECIAL CASE NO. 151/2025</u></b>
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Present application is filed by the accused No.2 and 4 for regular bail in present Special Case punishable U/s. 3(1)(w)(i), 3(1)(w)(ii), 3(2)(va), 3(1)(r), 3(1)(2) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 Amendment Act, 2015 and U/s.352, 351(2), 3(5), 69 of the Bharatiya Nyaya Sanhita 2023. It is contended that, applicants/accused are permanent resident of Kolhapur District, having movable and immovable properties. The names of the applicants/accused have been included as they are family members of accused No.1. The allegations against the applicants/accused are general, omnibus and devoid of any role that would attract criminal liability. It is further contended that they were not arrested during investigation and notice under Section 41-A of the Cr.P.C. was issued to them. The applicant No.1 is old aged lady and the applicant No.2 is having small children. The applicants don't have any criminal antecedent. The applicants/accused are ready to abide the conditions imposed by the court. Hence, prayed to release them on bail.

2. The record shows that in C.R. No.192/2025 of Karveer police station, the applicants/accused have not been

arrested and were given notice U/s.35(3) of the Bharatiya Nagarik Suraksha Sanhita 2023 and after completion of investigation, chargesheet is now filed in this Court. The accused have appeared and sought regular bail on grounds as mentioned above.

3. On present application the say of learned APP and victim was called upon. Whereupon Ld. APP & I.O. filed say at Exh.15 and submitted that the application may be allowed on necessary terms and conditions. The victim filed her say at Exh.14 and opposed the bail application on the ground that the offence is serious in nature. If the bail application of the applicants is allowed, then they will pressurize the informant. So prayed to reject the application.

4. The record shows that during investigation the accused were not arrested and notice U/s.35(3) of the Bharatiya Nagarik Suraksha Sanhita 2023 was given to them. The chargesheet is filed without the arrest of the accused. When during investigation the custodial interrogation of the accused was not sought necessary and when the investigation is complete, so at this stage only the presence of the accused is to be secured for facing the trial. Whatever apprehensions the victim has raised can be met with conditions. Hence, following order.

**ORDER**

- (1) Accused No.2 & 4 are entitled for bail.
- (2) Interim bail granted to accused vide Exh.4 is hereby confirmed.
- (3) The applicants/accused shall appear on the dates regularly.
- (4) The accused shall not pressurize the prosecution witness and shall not tamper the prosecution evidence.
- (5) Breach of any of the condition will be a cause for the prosecution, to apply for cancellation of bail.

Kolhapur.  
Dt.: 06-05-2026.

( Smt. S. Y. Deshmukh )  
Special Judge (SC & ST Act),  
Kolhapur.