

MHKO080001262026



**Order below Exh.1 in Criminal Misc.**  
**Application No. 9 of 2026**

**Vitthal Ramling Patil**  
**Vs.**

**The State of Maharashtra**

**01.** The present application is moved by the applicant/accused Vitthal Ramling Patil for relaxation of condition of bail passed by this Court in connection with Criminal Bail Application No.148/2025 on 4/12/2025 in connection with Crime No.277/2025, registered with Ajara Police Station for the offences punishable under Section 64(1), 64(2)(m), 69, 75(2), 351(2) of B.N.S. 2023. The present applicant/accused is facing allegations of rape on the victim who is residing in the same village i.e. Kitavade, Tal. Ajara, Dist. Kolhapur.

**02.** It is stated in the application that, the mother of the applicant is suffering from Asthma. Therefore, there is no any to look after her. She is mentally challenged and two children and wife. He is an agriculturist by his profession and therefore submitted that, as the charge-sheet is filed in the Court of Ld. Judicial Magistrate First Class, Ajara and numbered as R.C.C. No.2/2026. Therefore, the entire investigation is completed. The condition not to enter in Kitavade village needs to be relaxed. So, that, the applicant may resume his duties towards his family.

**03.** The application is opposed by State by filing say at Exh.6 and submitted that, both the victim as well as the accused are residing in the same village. Therefore, there are chances that, applicant/accused may threaten the first informant and her relatives. The victim also present in the

Court and filed her affidavit at Exh.7 and opposed the application stating that, she lost her husband in December-2025, the applicant/accused is resident of the same village adjacent to her house. Therefore, she has threat from the accused as she is residing there along with her two children.

**04.** The learned Counsel Smt. Pratibha Desai submitted that, the case is committed yesterday from the Ld. Judicial Magistrate First Class, Ajara in this Court, therefore trial is begin soon. No purpose will be served by continuing the said condition as it is adversely affecting the day to day life of the mother and family members of the accused. Therefore, she submitted to relax the said condition.

**05.** On the other hand, the learned APP strongly opposed the said application stating that, both the parties are residing in the same village and adjacent to each other in the same vicinity. Therefore there are chances that, accused may pressurize the victim and it will seriously affect the trial itself.

**06.** I have carefully gone through the bail order dated 04/12/2025 passed by this Court, wherein this Court has imposed a condition not to enter in village Kitavade until further order. But the apprehension express by the victim herself stating that, she lost her husband in December-2025 and the accused is resident of same village and at the adjacent she is residing with her two minor children without any support. She has brother in laws but they are residing separately. She has to work in her agricultural field in the village and therefore she will be under concentrate from the applicant/accused. Thus, considering the situation particularly the fact that, the victim has to look after her agricultural land and two children and the accused is residing adjacent to the house of victim and therefore there is

reasonable threat to her life from the applicant/accused and there are chances that, the applicant/accused may pressurize the victim as the matter is yet to be committed to this Court and trial is to be begin. If the condition is relaxed it will certainly affect adversely the prosecution evidence. Therefore, it would not appropriate to allow the present application. Hence, the following order is passed.

**ORDER**

Criminal Misc. Application No.9/2026 is rejected.

(Dictated and pronounced in open Court)

Gadhinglaj.  
Dt.: 10/04/2026.

**( M.A.Shinde)**  
Additional Sessions Judge,  
Gadhinglaj.