

MHLA070002932026



**ORDER BELOW EXH.1**

| <b><u>Criminal Bail Application No.105/2026.</u></b> |                                                                                                              |                  |
|------------------------------------------------------|--------------------------------------------------------------------------------------------------------------|------------------|
|                                                      |                                                                                                              |                  |
|                                                      | <b>Sidharth Mashnaji Kamble<br/>Age 43 yrs, Occu : Labour<br/>R/o.Malhipparga, Tq. Jalkot District Latur</b> | <b>Applicant</b> |

**Versus**

|                                                             |                 |
|-------------------------------------------------------------|-----------------|
| <b>The State of Maharashtra.<br/>Police Station Jalkot.</b> | <b>Opponent</b> |
|-------------------------------------------------------------|-----------------|

**REGULAR BAIL APPLICATION UNDER S.483 OF B.N.S.S.**

| <b><u>Appearances</u></b> |                            |
|---------------------------|----------------------------|
| For applicant             | Advocate Shri. B.C.Gaikwad |
| For State                 | APP Shri.G.C.Sayyad        |

|           |                                            |                                                                                                     |
|-----------|--------------------------------------------|-----------------------------------------------------------------------------------------------------|
| <b>A)</b> | <b>Case details :</b>                      |                                                                                                     |
| 1.        | FIR number and date                        | 99/2026 Dt.17.04.2026                                                                               |
| 2.        | Police Station, District, State            | Police Station Jalkot,<br>District Latur, State<br>Maharashtra                                      |
| 3.        | Sections invoked                           | Section 63(d)(vi), 64(2)(i),<br>64(2)(m) of B.N.S and<br>U/Sec.3, 4, 5(j)(2), 5(l) of<br>POCSO Act. |
| 4.        | Maximum punishment<br>prescribed           | Life imprisonment.                                                                                  |
| <b>B)</b> | <b>Custody and procedural compliance :</b> |                                                                                                     |
| 1.        | Date of Arrest                             | 03.05.2026                                                                                          |
| 2.        | Total period of custody<br>undergone       | 02 Month 14 days.                                                                                   |
| <b>C)</b> | <b>Status of trial :</b>                   |                                                                                                     |
| 1.        | State of proceeding                        | Special Case No.23/2026                                                                             |

|           |                                                      |                   |
|-----------|------------------------------------------------------|-------------------|
| 2.        | Total number of witnesses cited in the charge-sheet. | 10                |
| 3.        | Number of prosecution witnesses examined             | Yet not examined. |
| <b>D)</b> | <b>Criminal antecedents :</b>                        |                   |
| 1.        | FIR and Police Station                               | N.A.              |
| 2.        | Sections                                             | N.A.              |
| 3.        | Status                                               | N.A.              |
| <b>E)</b> | <b>Previous bail applications :</b>                  |                   |
| 1.        | Court                                                | N.A.              |
| 2.        | Case number                                          | N.A.              |
| 3.        | Outcome of case                                      | N.A.              |
| <b>F)</b> | <b>Coercive processes :</b>                          |                   |
| 1.        | Whether any non-bailable warrant was issued          | N.A.              |
| 2.        | Whether declared a proclaimed offender               | N.A.              |

### **ORDER BELOW EXH.1**

(Passed on this 17.07.2026)

This bail application is filed by the applicant/accused, namely Sidhartha Mashnaji Kamble under Section 483 of the Bhartiya Nagrik Suraksha Sanhita, 2023, in connection with Crime No.99/2026, registered at Police Station Jalkot, District Latur, under Sections 63(d)(vi), 64(2)(i), 64(2)(m) of B.N.S and U/Sec.3, 4, 5(j)(2), 5(l) of Protection of Children from Sexual Offences Act.

Brief facts of the prosecution case are as under :

2) The informant Ushabai Sidhartha Kamble has lodged the report with P.S.Jalkot alleging that during her absence at house due to ill-health of her father she had been to Latur for treatment. The victim was residing with his father i.e. accused at their house. Thereafter son Balaji Kamble met with an accident, therefore, for his treatment the informant was out of her house. During the said period victim and accused were alone in the house. When the informant suspected about victim as her legs were swollen. Therefore, the informant took the victim to sonography center. At that time she found that the victim is 04

months pregnant. Therefore, she has lodged report against unknown accused. The police has arrested the accused and started investigation of the offence. They have obtained DNA sample of the accused. They have prepared spot panchanama. They have recorded statements of the witnesses. The victim is of unsound mind. I.O. has filed charge-sheet after completion of the investigation. The case is now fixed for the evidence of the prosecution.

3) The I.O. and APP resisted the application stating that the offence is of serious nature. The accused is father of the victim. Therefore, if he is released on bail possibility of tampering prosecution evidence can not be ruled out. The informant was duly served with notice, but has not filed any say.

4) The accused prayed to release him on bail mainly on the ground that the charge-sheet is filed. He has not committed alleged offence at all. He has been falsely implicated in the crime. The victim is his daughter. He is sole bread earner of his family. There is no eye witness to the alleged offence. The report is lodged against unknown accused. He is ready to abide any of the conditions as may be imposed. Therefore, accused prayed that he may be released on bail.

5) Perused application and say. Heard arguments of both sides.

6) On perusal of the FIR it is clear that it is lodged against unknown accused. However, it is specifically mentioned in the FIR that when the informant was absent due to treatment given to her father at Latur the accused and victim were residing in the house. So also when her son met with an accident she was absent from the house for his treatment. Thereafter when she returned to the house, she suspected as her daughter's legs were swollen. Therefore, the victim was taken to sonography center,

where it was found that she is 04 months pregnant. Admittedly, the report was lodged against the unknown accused. The investigation of the offence is completed. Police has filed charge-sheet against the accused. The case is now fixed for prosecution evidence. There is father and daughter relationship between the victim and the accused. Therefore, if the accused is released on bail then possibility of tampering with prosecution evidence can not be ruled out. The accused has filed affidavit of mother-in-law and informant stating that they have no objection to release the accused on bail. But considering the gravity of the offence I am not inclined to grant bail to the accused. Therefore, I do not find substance in the bail application. Hence, the order.

### **ORDER**

- 1) The application (Exh.1) is rejected.
- 2) As accused is in jail copy of this order be sent to District Jail, Latur by e-mail.

Dt.17.07.2026.

(L. G. Pachchhe)  
Additional Sessions Judge, Udgir.

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