

MHLA040001832026



Spl.CaseNo.12/2026

State of Maharashtra

Vs.

Yogesh Satish Suryawanshi

ORDER BELOW EXHIBIT NO.6

This is an application for regular bail u/s. 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (for short the 'B.N.S.S.) in connection with Cr.No.181/2026 registered with Ahmedpur Police Station, Tq. Ahmedpur & Dist. Latur for the offence p.u/ss. 137 (2), 64 (2), (m), (i) of Bharatiya Nyaya Sanhita, 2023 and u/ss. 4, 8, 12 of Protection Of Children from Sexual Offences Act, 2012.

2. According to advocate of applicant, the applicant has not committed alleged offence. applicant submits that he is innocent person. The applicant and victim are known to each other. The victim herself left her house. The victim is aged 17 years and 10 months. She is on the verge of majority. The victim has completed her 12th in science. She was well aware about consequences. The applicant is sole bread winner in his family. There is civil dispute against father of applicant. There is political rivalry. Investigation is completed and charge-sheet is filed. Informant has given evidence in one of civil matter, regarding ancestral agricultural property of father of applicant. There was previous enmity. The applicant appears to be resident of Dist. Latur. He has got fixed and permanent place of residence. Hence, he prays for regular bail.

3. Present application has been strongly opposed by A.G.P. and I.O. on the ground that offence under section 64 (2) of B.N.S.

alleged against applicant is very serious. They have strongly objected this application on the grounds that offence is serious and against the woman. The offence is serious and against minor girl. There is direct involvement of present applicant in the present crime. The applicant and victim belongs to same vicinity. Applicant dominates people in the village. Therefore, victim has reasons to be under fear if applicant is enlarged on bail. The applicant and victim belong to different community. There is every possibility of law and order situation if the applicant is released on bail. He may tamper with the prosecution witnesses and repeat the offence. The applicant may not appear for trial. The prosecution is ready to conduct the trial on day today basis. Hence, it is prayed that this application be rejected.

4. Notice was issued to the prosecutrix / victim. None appeared for her. The victim filed her say at Exh-11, she objected to release the applicant on bail on the ground that, if the applicant is released on bail, there is threat to her and her family members. The applicant has committed very serious offence.

5. Heard both sides and perused the record. The offences registered against the applicant are not punishable with death. The FIR and remand papers prima facie reveal that the victim herself voluntarily joined the company of applicant. The medical papers regarding examination of victim and accused do not show any sign of forcible sexual intercourse. As per record the victim is of 17 years & 10 months old. She is on the verge of attaining the age of majority. She has completed her 12th in Science stream. She is of such an age that she can understand the consequences of what she is doing. As per

authority of Hon'ble Bombay High Court in **Mohammed Ajaan Khan Vs. The State of Maharashtra and anr. in Bail application No.4621 of 2024 dated 13.02.2025**, and in **Sunil Mahadev Patil Vs. State of Maharashtra in Bail Application No.1036 of 2015 dated 03.08.2015**, bail to the accused is justified in similar facts and circumstances.

6. Applicant is in judicial custody. He does not have any criminal antecedents. Nothing is to be seized from the possession of applicant. He is not required for custodial interrogation anymore. Investigation is complete and charge-sheet has been filed. No purpose will be served by keeping the applicant behind bars any longer. He is local resident within the jurisdiction of this Court. No justified grounds raised by the State to reject the bail application. In such circumstances, it will be justified to release the applicant on bail subject to conditions. Hence, I pass the following order :-

ORDER

- 1) This application is allowed.
- 2) The applicant Yogesh Satish Suryawanshi, be released on bail on executing the PR bond of Rs.50,000/- (Rupees Fifty Thousand only) with one surety of like amount in Crime No.181/2026 registered with Ahmedpur Police Station,Tq. Ahmedpur & Dist. Latur for the offence p.u/ss. 137 (2), 64 (2),(m), (i) of Bharatiya Nyaya Sanhita, 2023 and u/ss. 4, 8, 12 of Protection Of Children from Sexual Offences Act, 2012

- 3) The applicant shall not make any kind of contact with the informant, victim, her family members and other prosecution witnesses and also will not try to influence them in any way.
- 4) The applicant shall refrain himself from going in the area / locality where the informant and her family members reside.
- 5) The applicant shall submit a list of at least 02 blood relatives with respective mobile phone numbers and detailed residential addresses and also addresses of their place of work, as per Criminal Manual Chapter- I, Para 12(1).
- 6) The applicant shall attend the Court dates regularly and participate to conduct the proceeding of the case promptly on each and every stage.
- 7) Breach of any of these conditions will be the ground for cancellations of bail.

Sd/-

(R.B. Bhagwat)

**I/c. Additional Sessions Judge &
Special Judge POCSO Court,
Ahmedpur.**

Date : 25/06/2026