

**IN THE COURT OF SPECIAL (POCSO) JUDGE, NASHIK**

**SPECIAL (POCSO) CASE NO. 44 OF 2026**

[CNR NO. MHNS010004552026]

**ORDER BELOW EXH.3**

**(Dated 12-03-2026)**

Applicant/accused **Rohit Sham Shikhare** is seeking bail as per Section 483 of BNSS, 2023 in crime no. 187/2025 registered with Trambakeshwar Police station, Nashik for the offences punishable under sections 64, 64(2)(D), 351(2) of BNS, 2023 and sections 4, 8, 12 of POCSO Act, 2012.

2] Prosecution's case is that, on 12.12.2025 victim lodged the report. According to her, prior to two years of report, she and accused became friends, and thereafter fell in love. According to her, accused was demanding physical relationship by saying that he is going to marry victim. Love relationship continued for two years. On 05.11.2025, according to victim, accused took her at Trambakeshwar, at a Lodge and by giving threats involved in physical relationship. As threats were given by accused, victim did not disclosed this to anybody. Thereafter, on 29.11.2025 it was birthday of accused and he called the victim, both went to Trambakeshwar and at Radha Krushna Lodge, accused by giving threats involved in physical relationship with her. According to victim, she was scared, her parents gave support and they visited Bhadrakali Police Station on 12.12.2025.

3] Accused submits that, he is falsely implicated in the crime. According to him, he and victim became friends through Instagram APP. There was no intention to kidnap the victim. He and victim are in love relationship and victim on her own had accompanied him. Applicant/accused has no criminal antecedents. He is ready to abide all conditions.

4] Heard learned advocate Shri. A.J.Kakad for applicant/accused and learned APP Smt. Bendbhar. Victim has filed her say. Heard I.O. as in-camera proceeding.

5] On behalf of accused it is submitted that, investigation is completed, charge-sheet is filed. Accused and victim were in love relationship. Accused has placed on record copy of Instagram chat with victim and has relied upon the decision of **Sunil Mahadev Patil Vs. State of Maharashtra**, Bail application no.1036/2015 decided on 03.08.2015.

6] Prosecution and IO submits that, if bail is granted accused will threatened the victim and witnesses as both accused and victim residing same vicinity.

7] If the report is considered, victim submits about friendship and love relationship with accused, prior to two years of lodging of report. In her statement recorded under section 183 of BNSS, she deposes about the love relationship from last two years.

According to her, accused had given threats and involved in physical relationship.

8] If report and facts stated therein are considered then, first alleged incidence is of 05.11.2025. After this incidence, victim did not report about she being forced for physical relationship. She accompanied the accused at Trambakeshwar in a Lodge. Second incidence is of 29.11.2025. This time also, according to her, she went to the accused as it was his birthday and again they went to Trambakeshwar in the same Lodge. After this on 12.12.2025 the report is lodged.

9] Considering aforesaid facts, prima facie I find that, admittedly for two years, there was love relationship between victim and accused. Whether accused threatened her, forcibly committed physical relationship, is the aspect to be ascertained at the conclusion of trial. As on today prima facie, no specific ground is made out to detain the accused behind bar. Trial is not likely to commence immediately. Accused can be prevented from contacting with the victim and entering in the vicinity of Motha Rajwada, Kale Chowk, Dwarka, Nashik. For all these reasons, I pass following order.

**ORDER**

1.	Application is allowed.
2.	Applicant/accused <b>Rohit Sham Shikhare</b> in crime no.

	187/2025 registered with Trambakeshwar Police station, Nashik for the offences punishable under sections 64, 64(2)(D), 351(2) of BNS, 2023 and sections 4, 8, 12 of POCSO Act, 2012, be released on PB of Rs.30,000/- on executing SB of like amount.
3.	Applicant/accused is directed not to contact the victim and not to enter or visit in the vicinity of Motha Rajwada, Kale Chowk, Dwarka, Nashik till conclusion of trial.
4.	Applicant/accused to attend concerned police station once in a month on every Monday from 10:00 am to 2:00 pm till conclusion of trial.
5.	Applicant/accused shall not directly or indirectly induce or threat prosecution witnesses.
6.	Applicant/accused shall not tamper with witnesses of prosecution. this
7.	Applicant/accused shall furnish his permanent address alongwith cell phone number.
8.	Bail before this Court.
9.	Inform concerned police station.
10.	Inform jail authority by E-mail.

(Jairaj D.Wadne)

Special (POCSO) Judge, Nashik.

Date : 12-03-2026