

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

**SPECIAL (POCSO) CASE NO. 345 OF 2025**

[CNR NO. MHNS010084462025]

**ORDER BELOW EXH.3**

**(Dated 07-04-2026)**

Applicant/accused **Vikas Dilip Wagh** is seeking bail as per Section 483 of BNSS, 2023 in crime no. 163/2024 registered with Ambad Police station, Nashik for the offence punishable under sections 363, 376(2)(n), 323, 504, 506 of IPC and sections 4, 6, 8, 12 of POCSO Act, 2012.

2] Prosecution's case is that, on 15.03.2024 at about 1:30 am to 8:00 pm from Cidco, Nashik, accused on the pretext of performing marriage with victim, kidnapped her and involved in physical relationship with her. One Sonali Kamble assisted accused no.1. It is also alleged that victim was assaulted and abused.

3] Accused submits that, he is falsely implicated in the crime. There was no intention to kidnap the victim. He and victim stayed together. Investigation is completed, charge-sheet is filed. There is no evidence of assault by accused to victim. Applicant/accused has no criminal antecedents. He is ready to abide all conditions.

4] Heard learned advocate Shri. P. S. Nikam for applicant/accused and learned APP Shri. S. H. Sonawane. Victim has filed her say at Exh.7. Heard I.O. as in-camera proceeding.

5] On behalf of prosecution, it is submitted that victim is 16 years old and offence is serious. On behalf of victim, it is submitted that if bail is granted accused will threatened victim and her family members.

6] Admittedly, prosecution has leveled offence under section 363, 376(2)(n), 323, 504, 506 of IPC and under sections 4, 6, 8, 12 of POCSO, 2012. Investigation is completed. Charge-sheet is filed. The papers in the charge-sheet are available for perusal. If the statement of victim is considered, she states that, she got acquainted with the accused in 2021, they became friend and were in love relation. In March 2024 accused asked her for marriage and she asked him to wait till she complete the 18 years of age. However, accused said that they will run away and performed marriage and on 15.3.2024 she accompanied the accused and went to Bhimgoregaon, Anand Nagar. There they stayed in the rented room as husband and wife. They had physical relationship. When victim used to refuse for physical relationship, accused used to assault her. Hence, there was dispute between them.

7] If the statements of witnesses are considered then, prima facie they also state that victim and accused stayed as husband and wife.

8] In view of aforesaid prima facie material in the charge-sheet, I am of the view that, after filing of charge-sheet, accused cannot be detain for indefinite period. Trial is not likely to commence immediately. The victim and her relatives can be protected by imposing stringent condition that, accused shall not visit or stay in Raj Ratna Nagar, Cidco, Nashik till conclusion of trial. For these reasons, I pass following order.

**ORDER**

1.	Application Exh.3 is allowed.
2.	Applicant/accused <b>Vikas Dilip Wagh</b> in crime no. 163/2024 registered with Ambad Police station, Nashik for the offence punishable under sections 363, 376(2) (n), 323, 504, 506 of IPC and sections 4, 6, 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 visit or stay in Raj Ratna Nagar, Cidco, Nashik till conclusion of trial.
4.	Applicant/accused shall not directly or indirectly induce or threat prosecution witnesses.
5.	Applicant/accused shall not tamper with witnesses of prosecution.

6.	Applicant/accused shall furnish his permanent address alongwith cell phone number.
7.	Bail before this Court.
8.	Inform concerned police station.
9.	Inform jail authority by E-mail.

Date : 07-04-2026

**(Jairaj D.Wadne)**  
Special (POCSO) Judge, Nashik.