

**ORDER BELOW EXH. 5 IN SESSIONS CASE NO. 181/2025.**

1. This is a successive bail application filed by applicant/accused namely, Rohit @ Rohidas Ashok Salve under Section 483 of Bhartiya Nagarik Suraksha Sanhita (BNSS) for grant of regular bail in connection with Crime No. 109/2025 registered with Jaykheda Police Station, Malegaon for the offences punishable under Sections 64(2), (f)(m), 115, 351(2), 351(3), 3(5), 70(1) of Bhartiya Nyaya Sanhita (BNS).
  
2. The prosecution story in short is that from time to time between 27.01.2025 to 05.03.2025 at Eklahare, Tal. Satana, Dist. Nashik and at Padgha Area, Tal. Kalyan, Dist. Thane accused no. 1 rape the victim against her will and other accused Ashok Salve used to hold her hands and feet and accused Kishor Chopde used to make videos on her mobile phone. When the victim/informant opposed it, Kishor Chopde slapped her and beat her and also threatened her that if anyone came to pick her here, then tell them that she has come on her own accord.
  
3. Applicant averred that he is innocent and has not committed offence, he is falsely implicated in the crime, having no criminal antecedents. Further he averred that his earlier bail application bearing No. 278/2025 was rejected on the ground that the investigation is in progress. Now the investigation is over and charge-sheet is filed in this successive bail application. FIR lodged belatedly against the applicant.

Nothing is to be seized at the instance of accused. He is Karta of his family and his family members dependent upon him. Hence, custodial interrogation is not necessary. He is ready to abide by the conditions imposed upon him if enlarge on bail. Consequently, prayed for grant of regular bail.

4. The State through Ld. APP resisted the application by filing say below Exh.4-D and thereby submitted that the offence is serious and related to violence against women. Accused no.2 and 3 in the said crime have not yet been arrested and are absconding. If the applicant/accused released on bail, it cannot be ruled out that he will again lure the informant and abduct him and commit a similar type of offence and also it cannot be ruled out that he will help the absconding accused. Accused and the victim are from the same village and there is every possibility to cause trouble to the informant/victim. Hence, prayed for rejection of application.

5. Heard learned Advocate Mr. S.Y.Deshmukh for the applicant/accused and Ld. APP Shri. Damodhar for the State. Perused the charge-sheet. Admittedly, the earlier bail application bearing No. 278/2025 was rejected on 05.04.2025 on the ground that the investigation is in progress and charge-sheet is not filed. Now the investigation is over and charge-sheet is filed which is one of the change in circumstances to prefer the successive bail application. Prima facie it appears that there is consensus relationship between the accused and the victim. The applicant/accused faced custodial interrogation and he

is behind bar since more than three months. The trial will not take off immediately, therefore, keeping the applicant/accused behind bar for uncertain period is unwarranted. The apprehension of Ld. APP and I. O. can be safeguard by imposing certain stringent condition while enlarging him on regular bail. Hence, I pass the following order :-

**ORDER**

1. Application is allowed.
2. Applicant/accused Rohit @ Rohidas Ashok Salve be released on regular bail upon furnishing P. R. bond of Rs. 50,000/- with one or two solvent surety of like amount in connection with Crime No. 109/2025 registered with Jaykheda Police Station, Malegaon for the offences punishable under Sections 64(2), (f)(m), 115, 351(2), 351(3), 3(5), 70(1) of Bhartiya Nyaya Sanhita (BNS).
3. The applicant/accused shall attend each and every date till conclusion of the trial in the Court.
4. He shall not pressurize the prosecution witnesses in any manner.
5. He shall not come in contact with the victim and shall not threaten her.
6. Bail before concerned Court.
7. Inform concerned Court and Police Station accordingly.

**Sd/-xxx  
( Amol D. Harne )  
Additional Sessions Judge  
Malegaon.**

Date : 01.08.2025.