

MHPA010012972026.



ORDER BELOW EXHIBIT NO. 01 IN
CRIMINAL BAIL APPLICATION NO. 415/2026

Ishwar Sanjay Gite Vs. State

[Passed on 16th June, 2026]

Accused – applicant Ishwar Sanjay Gite has filed the application under Section 482 of Bhartiya Nagarik Suraksha Sanhita, 2023 for granting him anticipatory bail in connection with Cr.No.268/2026 registered at Police Station Jintur, Tq. Jintur, Dist. Parbhani for offence punishable under Sections 75(2), 78, 115(2) r.w. Sec.3(5) of Bhartiya Nyaya Sanhita, 2023, Section 12 of POCSO Act and Section 3(1)(w)(i), 3(1)(w)(ii), 3(1)(r) of S.C. and S.T. (Prevention of Atrocties) Act.

02. The prosecution case, in short, is that informant MRS on 13.05.2026 lodged report to police station Jintur alleging that she has been learning in 7th Std. On 12.05.2026 at about 07.00 p.m. the informant along with her sister had gone to market at Bhagwan Baba Square. They were purchasing vegetable. Meanwhile two boys came there by motorcycle. The boys were looking at her with ill intention. Hence, the informant and her sister were returning back but the two boys chased them. Hence, the informant made phone call to her father and narrated about it. The inforamant and her sister reached to their house at 08.15 p.m. The two boys also came to her house. One boy caught her hand and told that he likes her. He demanded her mobile number. On shouting of the informant neighbouers gathered. Father of the informant is also came. They had tried to

caught the boys, but they assaulted to father of the informant by fists and kicks blows and ran away. Father of the informant told the names of the boys as Ishwar Gite and Imran Feroj. Then the informant went to police station and lodged report.

03. On the above report the aforesaid crime came to be registered against the accused-applicant Ishwar Sanjay Gite and accused Sayyad Imran Sayyad Feroj for the offences mentioned above.

04. It is contention of the accused that he has not committed the alleged crime. No any such incident was happened. But on the say of the informant's father false report is lodged. Father of the accused had lodged FIR against the relatives of the victim on which crime bearing 270/2026 came to be registered on 13.05.2026. Punishment provided to the offence is not for more than 7 years imprisonment. He has apprehension of his arrest at the hands of the police unnecessarily. He is ready to assist I.O. He and the informant reside in different colonies. He does not know caste of the informant. He resides withing jurisdiction of the Court. Hence, he will not abscond. He prayed to grant him anticipatory bail.

05. Resisting the application Ld. APP in his say Exh.7 has submitted that the accused outraged modesty of the informant. If bail is granted the accused will pressurize to the witnesses. Motorcycle is to be seized. If bail is granted the accused will commit offence against the informant. He prayed to reject the application.

06. The informant though served with notice but she did not appear.

07. I have heard Ld. Adv. Mr. S.R. Bhutada for the accused and Ld. APP Mr. A.N. Giram for the State.

08. Ld. Adv. of the accused has submitted that there is no mention about abuse on caste of the informant. Hence, offence under atrocities Act would not attract. Hence there would be no bar to grant anticipatory bail. Nothing is to be recovered from the accused. Offence is not punishable for more than seven years imprisonment. Accused is ready to assist I.O. in the investigation. He prayed to grant anticipatory bail. On the other hand Ld. APP has submitted that the victim is 13 years old girl. The accused outraged her modesty. The accused is absconding. By arresting the accused investigation is to be made. He prayed to reject the application.

09. I have gone through the FIR. It is clear that nothing is mentioned about abuses on caste of the informant in the FIR. It has not mentioned that the accused was knowing the caste of the informant. The accused has filed on record copy of crime No.270/2026. The crime is registered against the Satish Wakale, Ratnadeep Shejawale and others for the offence under Section 115(2), 118(1), 351(2), 189(2) of B.N.S., on the report of father of the accused. It has alleged that this incident was also happened on 12.05.2026 at 08.00 p.m.

10. Since there is no allegations or abuses on the caste of the informant I am of the view that bar to grant anticipatory bail does not attract. Offences are not punishable for more than seven years

imprisonment. So investigation can be made by issuance notice to the accused. The accused resides within the jurisdiction of this Court. Hence, it appears to me that liberty of the accused needs to be protected. Hence, I pass the following order.

Order

1	The application is allowed.
2	In the event of arrest of applicant-accused Ishwar Sanjay Gite he shall be released on P.B. of Rs.25,000/- and surety in the like amount in connection with Cr.No. Cr.No.268/2026 registered at Police Station Jintur, Tq. Jintur, Dist. Parbhani for offence punishable under Sections 75(2), 78, 115(2) r.w. Sec.3(5) of Bhartiya Nyaya Sanhita, 2023, Section 12 of POCSO Act and Section 3(1)(w)(i), 3(1)(w)(ii), 3(1)(r) of S.C. and S.T. (Prevention of Atrocties) Act with condition that-
	1) He shall attend the concern police station during 10.00 a.m. to 01.00 p.m. on every Sunday for one month if called by I.O.
	2) He shall assist the investigating officer for investigation.
	3) He shall not contact with the informant by any way.
	4) He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer.
	5) He shall not hamper or tamper with the prosecution evidence.
	6) He shall not go abroad without permission of the investigating officer, till filing charge-sheet.
3	Inform to concern police station accordingly.

Date: 16.06.2026.

(Gautam G. Bharne)
Additional Sessions Judge,
Parbhani.