

**Special Case (POCSO) No. 109/2025**

State of Maharashtra	<u>...Prosecution</u>
<u>Versus</u>	
Bablu Dnyanoba Chavhan	<u>...Accused</u>

ORDER BELOW EXHIBIT – 14

(Passed on 14/07/2026)

1] This is successive application moved by the applicant-accused **Bablu Dnyanoba Chavhan** under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 for regular bail.

2] The application is opposed by the prosecution.

3] Perused the application and say. Heard both sides.

4] Advocate J.S.Deshmukh for the accused argued that the accused is facing trial for the offence Sections 64, 65(2), 75 and 329(4) of the Bhartiya Nyaya Sanhita, 2023 and Sections 4, 8 & 12 of the Protection of Children from Sexual Offences Act, 2012. The accused is behind bar since last one year. He further argued that prior bail application (Exh.9) moved before this Court was rejected on 31/10/2025 and application filed before the Hon'ble High Court was not pressed. He further argued that as per law the evidence of the victim-girl shall be recorded within 30 days, however, there is delay in trial. After moving the present application when the informant was called by the

prosecution for filing say to the bail application, the informant along with victim-girl appeared and their evidence were recorded. He further argued that bail is the rule and jail is the exception. As per the case of prosecution the accused snapped a photograph of the private part of the victim-girl, however, the muddemal Mobile and its analysis report of R.F.S.L., Nanded yet not deposited in the Court. As per Section 35 of the POCSO Act, the trial is required to be completed within the period of one year, however, it is not completed. The victim-girl refused for medical examination and there is no medical evidence. He also relied upon the judgment of the Hon'ble High Court in case of **Rabbi Ali Vs. State of Meghalaya and other, 2026 CRI.L.J. 735** and **Criminal Application (BA) No.429/2024 Dattatraya Shrikrushna Shejole Vs. The State of Maharashtra decided on 06/08/2024** by the Hon'ble High Court Bench at Nagpur. He requested to allow the applicaion and accused be released on bail.

5] Per contra, P.P. D.U.Darade argued that the evidence of the victim-girl, her mother i.e. informant and brother of the victim-girl are recorded. All these three witnesses corroborating to each other on the point of incident. The victim-girl specifically deposed about the removing of her clothes and touching to her body by the accused. She identified the accused. He further argued that the prosecution intends to examine further two witnesses. There is rush at the R.F.S.L., Nanded for analysis, therefore, there is delay and prosecution will be produced analysis report as early as

possible. The evidence adduced by the victim-girl is sufficient to point out the guilt of the accused. He requested to reject the application.

6] After hearing both the sides, I have gone through the record. The evidence of the victim-girl not reflects about the penetrative sexual assault, however, her evidence is on the point of sexual assault. Her evidence corroborates by her brother and mother i.e. informant. The offence under Section 8 of the POCSO Act prescribed the minimum punishment for 03 years which may extend to five years. There is progress in the matter. On every date the prosecution producing the evidence. As far as judgments relied by the advocate for the applicant-accused is concern, in these both cases bail were granted to the accused on the facts of the particular case. The facts of present case are different and not applicable to this matter. Thus, no case made out to release the accused on bail. Hence, I pass the following order.

-: <u>ORDER</u> :-	
1]	The application is rejected.
2]	Communicate this order to the Superintendent of Jail by E-mail.

Place : Parbhani
Date : 14/07/2026.

(**R.M.Sadrani**)
Session Judge, Parbhani
Judge Code – MH02457.

<u>CERTIFICATE</u>		
I affirm that, the contents of this P.D.F file Order are same, word to word, as per the original order.		
Name of Stenographer		S.S.Shirale, Steno
Court		Sessions Court, Parbhani
Date of order		14/07/2026
Order signed by the Presiding Officer on		14/07/2026
Order uploaded on		14/07/2026