

IN THE COURT OF SESSIONS, YAVATMAL

MHYA010013212026

C.B.A. No.199/2026

Vishal Vs. State



Order Below Exh.1

(Passed on 14th August 2026)

Perused application and say. Heard learned counsels for both sides at length. It is alleged in this case that the applicant lured victim, a minor girl into physical relationship with assurances of performing marriage with her. He kidnapped her on 09/04/2026 and they went to Shegaon and Murtijapur and started residing together till 14/06/2026. During this period the applicant committed penetrative sexual assault on the victim.

2. It is contention of applicant that he is peace-loving, law abiding citizen of India. He has deep roots in society. He is permanent resident of Manikwada along-with his family. The complainant is father of victim. He lodged false report. Applicant did not kidnap victim.

3. Prosecution opposed this application. He submitted that victim is a minor hence, her consent is immaterial. The applicant repeatedly had physical relationship with victim with false assurance of marriage. He committed aggravated penetrative sexual assault upon minor victim repeatedly. Investigation is not completed. The applicant may abuse

discretion exercised in his favour. Prosecution prayed for rejecting this application.

4. The investigating officer submitted his report. He submitted that he recorded statements of victim in which she conceded to have love-affair with the applicant since last 5 years. On 09/04/2026 she made a phone call to applicant and told him that they will get married and she eloped with him on a motorcycle. They went to Shegaon, stayed there in a room and had physical relations 8 to 10 times. The investigating officer also expressed apprehension that the applicant and victim are resident of same village, the applicant may cause harm to victim if he is released on bail. He may tamper with evidence and therefore he prayed for rejecting this bail application.

5. Complainant also filed his reply and opposed this application on same grounds. I have thoughtfully considered submissions of both sides. The applicant was arrested on 15/06/2026 i.e. almost 2 months ago. By this time, the investigating officer must have completed major part of his investigation because the offence is dated 10/04/2026 and the report was lodged on the same day. Custody of applicant is not required for further investigation. He is ready to furnish surety and abide by all conditions. Apprehension of complainant and prosecution, that the applicant may tamper with evidence and threaten the witnesses, can be taken care of by imposing suitable conditions. In such conditions I think discretion needs to be exercised in favour of applicant. Hence, I pass following order.

ORDER

1. Application is allowed.
2. Applicant Vishal Suresh Shende is released on executing bond of Rs.30,000/- with a surety of like amount subject to following conditions.
 - (a) Applicant will not enter village Manikwada till decision of this case.
 - (b) He will not contact victim.
 - (c) He will not tamper with evidence.
 - (d) He will attend trial regularly.

(V. G. Raghuwanshi)

Date : 14/08/2026.

Additional Sessions Judge,
Yavatmal