

MHPU140004172026

CRIMINAL BAIL APPLICATION NO.



176/2026

Sagar Vasant Malche

Vs.

State of Maharashtra

(A) CASE DETAILS

FIR Number & Date	77/2026, dtd. 28.02.2026
Police Station, District and State	Baramati City Police Station
Sections invoked	Sections 137(2), 74 of BNS and Sections 8 and 12 of POCSO Act
Maximum punishment prescribed	Seven years

(B) CUSTODY AND PROCEDURAL COMPLIANCE

Date of Arrest	03.03.2026
Total period of custody undergone	From 03.03.2026 to 17.03.2026

(C) STATUS OF TRIAL

Stage of proceedings	Remand Proceeding
Total number of witnesses cited in the charge-sheet	N.A.
Number of prosecution witnesses examined	N.A.

(D) CRIMINAL ANTECEDENTS

FIR Number and Police Station	NIL
Sections	NIL
Status	NIL

(E) PREVIOUS BAIL APPLICATIONS

Court	NIL
Case No.	NIL
Outcome of case	NIL

(F) COERCIVE PROCESSES

Whether any Non-bailable Warrant was issued	NIL
Whether declared a proclaimed offender	NIL

ORDER BELOW EXH.1

This regular bail application is moved by accused-Sagar Vasant Malche to release him under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), in Crime No. 77/2026, registered at Baramati City Police Station, for offences punishable under Sections 137(2), 74 of the Bharatiya Nyaya Sanhita (BNS) and under Sections 8 and 12 of the Protection of Children from Sexual Offences Act (for short POCSO Act).

2. Heard Ld. Advocate for accused, learned A.P.P. for State and victim in person. Perused the copy of FIR and documents placed on record.

3. Complainant being mother of victim aged 16 years, lodged report at Baramati City Police Station on 28.02.2026, on which, F.I.R. was registered, regarding kidnapping her minor daughter, aged about 16 years, and also kidnapping of her neighbour Sagar Vasant Malche i.e. present accused by some unknown person by enticing. During course of investigation, it was revealed that present accused kidnapped victim by enticing her and left her at her grandmother's home. Accused was arrested on 03.03.2026.

4. Learned Advocate appearing for accused submitted that the offence alleged as above is not punishable for more than seven years. The accused and victim are young persons. No allegations of sexual assault of serious nature are made. He submitted that the accused was arrested on 03.03.2026, and after two days' police custody was over, the accused is in judicial custody. Investigation is already from him and further detention is not required. Accused has no antecedent. Only charge-sheet

remained to be filed. He submitted that as detention of the accused is not necessary looking to the nature of offence and punishment provided therefor, the accused may be released on regular bail.

5. Ld. A.P.P. for State submitted that accused and victim are resident of same village. Accused may pressurize the informant, victim and witnesses and there is threat to their lives. Therefore, he submitted to reject the application.

6. Perusal of the copy of FIR, Remand Report and Case Papers show that the report was initially lodged that victim aged 16 years and accused allegedly aged 17 years, were kidnapped by someone. However, during investigation, it was revealed that accused is aged 19 years and victim stated to the police that she had love relations with accused, with whom she fled to Pachora, Dist. Jalgaon without informing to anyone. The police have invoked Sections 8 and 12 of POCSO Act finding the material that accused was wandering with victim holding her hand in his hand. However, according to the say filed by I.O., there were love relations between the victim and accused who are aged 16 and 18 years, respectively. Thus, at this stage, there appears a voluntary act on the part of victim in going with accused. Accused has no antecedents. The offence is not punishable for more than seven years. Investigation is already made from the accused who is custody since 03.03.2026, and his further detention would not be required. Therefore, looking to the nature of offence, punishment provided therefor and investigation already made from the accused, as further detention of accused is not necessary, he shall be released on bail subject to conditions. Hence, the following order:-

ORDER

1. Application is hereby allowed.
2. Applicant/accused-Sagar Vasant Malche shall be released on regular bail in Crime No.77/2026, of Baramati City Police Station, on his executing Personal Bond in the sum of Rs.25,000/- and a Surety in the like sum.
3. The applicant/accused shall not enter in *Gunawadi* village, till filing of final report or charge-sheet.
4. The applicant/accused himself or anyone on his behalf, shall not threaten, pressurize or dissuade complainant, victim and any other prosecution witnesses directly or indirectly, and shall not tamper evidence.
5. The applicant/accused shall produce identity proof alongwith his contact number, and numbers of those persons who shall be approached in case the accused is found unavailable.
6. The applicant/accused shall not commit any offence during period of release, shall keep peace and maintain good behaviour.
7. Breach of any condition would result in cancellation of bail so granted.

Date :- 17.03.2026

(V. C. Barde)
Special Judge,
Baramati.

CERTIFICATE

I affirm that the contents of this P.D.F. file Order are same word for word as per original Order.

Name of Stenographer : V.B. Lalsangi
Stenographer (G-1)

Court Name : Special Judge,
Baramati, Dist. Pune.

Date of Order : 17.03.2026

Order signed by
Presiding Officer : 17.03.2026

Order uploaded on : 17.03.2026