

Cri. Bail Appln. No. 375/2026

CNR NO. MHPU140009102026

Shubham Shankar Bhosle



Vs.

**State of Maharashtra
(Through Baramati Taluka Police
Station)**

ORDER BELOW EXH.1
(Passed on dt. 03.08.2026)

(A) CASE DETAILS

Fir Number and Date	222/2026 dt.13.05.2026
Police Station, District and State	Baramati Taluka Police Station, Pune Rural, (Maharashtra)
Sections invoked	u/s 64(2)(m), 352 of BNS na Section 4,6 of the POCSO Act
Maximum punishment prescribed	Life Imprisonment

(B) CUSTODY AND PROCEDURAL COMPLIANCE

Date of Arrest	13.05.2026
Total period of custody undergone	2 Month 20 Days

(C) STATUS OF TRIAL

State of proceedings (Investigation/ Chargesheet/ Cognizance/Framing of Charges/Trial)	Charge-sheet
Total number of witnesses cited in the charge-sheet	--
Number of prosecution witnesses examined	--

(D) CRIMINAL ANTECEDENTS

Fir Number and Police Station	--
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Sections	--
Status (Pending/acquitted/convicted)	--

(E) PREVIOUS BAIL APPLICATIONS

Court	--
Case No.	--
Outcome of case	--

(F) COERCIVE PROCESSES

Whether any Non-Bailable warrant was issued	--
Whether declared a proclaimed offender	--

1] This is an application under Section 483 of the Bhartiya Nagarik Suraksha Sanhita, 2023 (in short 'BNSS') for grant of regular bail to the accused viz. **Shubham Shankar Bhosle**.

2] Perused application and reply thereon filed by the investigating officer, victim as well as Ld. APP. Heard Ld. Counsel for both the sides as well as victim.

3] It is the case of prosecution that in the month of November 2025 victim got acquainted with the accused and he obtained the mobile number of the victim. Thereafter, accused used to ask the victim to marry him and to talk to him. He also obtained her photographs from the victim. In the month of April 2026, accused performed penetrative sexual assault upon the victim. Moreover, on dt.10.05.2026 accused again performed penetrative

sexual assault upon the victim. Victim was scared about the said fact. Therefore, she informed about the said incident to her mother and lodged report about the said incident to Baramati Taluka Police Station.

4] Ld. Counsel for the accused submitted that accused is in custody since long. Moreover, nothing is remained to be recovered from the possession of the accused. Furthermore, accused is falsely implicated in the alleged offence. He further submitted that there is love relationship between the victim and the accused. It is submitted that if the accused is released on bail, he is ready to abide by all the conditions imposed by the Court. Hence, it is prayed to release the accused on bail.

5] Per contra, Ld. APP and investigating officer submitted that possibility of tampering the evidence of prosecution and pressurizing the witnesses of prosecution cannot be ruled out. Similarly, possibility of recurrence of same incident at the hands of accused cannot be ruled out. Hence, it is prayed to reject the application.

6] In *Sunil Mahadev Patil vs. The State of Maharashtra* reported in *MANU/MH/3141/2015* Hon'ble Bombay High Court held that while deciding bail applications for the offences punishable under POCSO Act which emerge out of love relationship between accused and victim, court shall consider following mitigating factors :-

- (i) What is the age of the prosecutrix, who is minor.
- (ii) Whether the act is violent or not.
- (iii) Whether there are antecedents or not.
- (iv) Whether the offender is capable of repeating the Act or not.
- (v) Whether there is likelihood of threats or intimidation, if at all the boy is released.
- (vi) Whether any chance of tampering with the material witnesses when their statements are recorded.
- (vii) It is also to be taken into account in such cases that a boy in his early 20's deserves to get employment and to plan, stabilize and secure his future.

7] It is undisputed that charge-sheet is already filed and investigation is already completed. Therefore, it is clear that nothing is remained to be recovered from the possession of the accused. It is significant to note that charge is yet to be framed and considering the pendency before the Court there is no likelihood of commencing and completing the trial in near future. In these facts and circumstances of the case, detaining the accused till the conclusive of trial will amount to punitive detention, which is impermissible in the eye of law. It is not the contention of the investigating officer that accused is having any criminal antecedents. Moreover, there is nothing on record to show that accused is at flight risk. As such, considering all the aforesaid facts and circumstances of the case, it will not be just and proper to keep the accused behind the bar. So far as apprehension regarding tampering the evidence of prosecution is concerned, suitable conditions to that effect can be imposed upon the

accused so as to secure the presence of the accused and to dissuade him from contacting the victim as well as from trying to tamper the evidence of prosecution. Hence, considering the aforesaid facts and circumstances of the case, I pass the following order.

ORDER

1. Application is hereby allowed.
2. Accused viz. **Shubham Shankar Bhosle** is released on bail on his executing personal bond of Rs.50,000/- with one or two solvent surety/sureties in the like amount, in connection with Crime No.222/2026, registered with Baramati Taluka Police Station, for the offence punishable under Sections 64(2)(m), 352 of the Bhartiya Nyaya Sanhita, 2023 and Section 4 and 6 of the Protection of Children from Sexual Offences Act, 2012, subject to the conditions that :
 - i) Accused shall attend the concern police station on every Monday in between 10.00 a.m. to 12'O Clock noon, till filing of the charge-sheet or passing of further order, whichever is earlier.
 - ii) Accused shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts and/or accusation against him so as to dissuade them from disclosing such facts to the Court or any police officer.
 - iii) Accused shall not indulge in any criminal activities in future.
 - iv) Accused shall submit list of at least 3 blood relatives with their detail residential addresses and also the addresses of their places of work, if any, and documentary proof of showing the correctness of details produced by him.
 - v) Accused shall submit copies of at least 2 documents amongst the Passport, PAN Card, Aadhar Card, Ration Card, electricity bill or Voter Identity Card issued by the Election Commission of India.

- vi) Accused shall neither visit nor reside in the vicinity of the residence of the victim and her family and he shall not contact the victim in any manner.
- 3. In the event of breach of any condition, the bail granted to the accused, would liable to be cancelled.
- 4. Copy of bail order be forwarded to the concerned Jail.

Baramati

Date : 03.08.2025

(Hitendra Urmila Anilkumar Wani)

I/c Additional Sessions Judge, Baramati.