

Cri. Bail Appln. No. 417/2026**CNR NO. MHPU140009902026****Ashish Ashok Sasane****Vs.**

State of Maharashtra
(Through Yavat Police Station)

ORDER BELOW EXH.1
(Passed on dt.01.08.2026)

(A) CASE DETAILS

Fir Number and Date	484/2026 dt.23.05.2026
Police Station, District and State	Yavat Police Station, Pune Rural (Maharashtra)
Sections invoked	U/s.137(2),75,78,64(2)(j), 64(2)(i), 64(2)(m) of BNS, Sec.4,6,8,12 of POCSO and 9,10,11 of the Prohibition of Child Marriage Act, 2006.
Maximum punishment prescribed	Imprisonment for life

(B) CUSTODY AND PROCEDURAL COMPLIANCE

Date of Arrest	23.05.2026
Total period of custody undergone	2 Month 8 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	11
Number of prosecution witnesses examined	--

(D) CRIMINAL ANTECEDENTS

Fir Number and Police Station	--
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. **Ashish Ashok Sasane**.

2] Perused application and reply thereon filed by the investigating officer, informant, 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 applicant/accused no.2 kidnapped the victim and repeatedly committed rape on the her.

4] Ld. Counsel for the accused submitted that accused is falsely implicated in this case. There is no credible material on record to suggest the complicity of applicant/accused. Nothing is remained

to recovered from applicant/accused. He has no motive to commit the present offence. Moreover, the trial will take its own time to conclude. He is permanent resident Madhe Wadgaon, Tal. Shrigonda. Dist. Ahmadnagar. There are no criminal antecedents. It is submitted that if the accused is released on bail, he is ready to abide by all the conditions imposed by the Court and he will not tamper the evidence of prosecution. Hence, it is prayed to release the accused on bail.

5] Per contra, Ld. APP and investigating officer submitted that the accused repeatedly committed rape on victim by threatening her to commit suicide. Moreover, 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] The victim submitted that if the accused is released on bail he may commit similar nature of offence and will pressurize her as well as other witnesses. Hence, she has prayed for rejection of application.

7] 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.

8. Record shows that charge-sheet is already filed and investigation is already completed. Moreover, it shows that victim resided with the accused no.2 Ashish for the period of six months which prima facie shows consensual relationship between victim and accused no.2 Ashish. Furthermore, victim has refused to undergo medical examination. It is not the contention of the investigating officer that accused no.2 Ashish is having any criminal antecedents. It is undisputed that accused no.2 Ashish is having permanent residence and there is nothing on record to show that he 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 no.2 Ashish 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 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 no.2 viz. **Ashish Ashok Sasane** 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.484/2026, registered with Yavat Police Station, for the offence punishable under Sections 137(2),75,78,64(2)(j), 64(2)(i), 64(2)(m) of the Bhartiya Nyaya Sanhita, 2023, Section Sec.4,6,8,12 of the Protection of Children from Sexual Offences Act, 2012 and 9,10,11 of the Prohibition of Child Marriage Act, 2006 subject to the conditions that :
 - i) 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.
 - ii) 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.
 - 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.
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 : 01.08.2026

(Hitendra Urmila Anilkumar Wani)

I/c. Additional Sessions Judge, Baramati.