

MHPU140011102026

**Cri. Bail Application No.-471/2026**

**Ramdas Vitthal Bansode Vs. State of Maharashtra
through Daund P.S.**

(A)	CASE DETAILS	
	FIR Number & Date	242/2026, 19/04/2026.
	Police Station, District and State	Daund Police Station, Tal. Daund, Dist. Pune Maharashtra
	Sections invoked	137(2), 64(2) of Bharatiya Nyaya Sanhita, 2023 and under sections 4, 8 and 12 of POCSO Act.
	Maximum punishment prescribed	Imprisonment for life.
(B)	CUSTODY & PROCEDURAL COMPLIANCE	
	Date of Arrest	12/05/2026
	Total period of custody undergone	44 days
(C)	STATUS OF TRIAL	
	Stage of proceedings (Investigation/Chargesheet/Cognizance/Framing of Charges/Trial)	Investigation
	Total number of witnesses cited in the chargesheet	NIL
	Number of prosecution witnesses examined	NIL
(D)	CRIMINAL ANTECEDENTS	
	FIR No. & Police Station	According to accused - No
	Sections	---

	Status (Pending/Acquitted Convicted)	---
(E)	PREVIOUS BAIL APPLICATIONS	
	Court	NIL
	Case No.	NIL
	Outcome of case	NIL
(F)	COERCIVE PROCESSES	
	Whether any Non-Bailable Warrant was issued	No.
	Whether declared a proclaimed offender	No.

ORDER BELOW EXH.-01

01] This is an application, filed by accused/applicant under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, for granting regular bail from Crime No.-242/2026, registered with Daund Police Station, punishable 137(2), and 64(2) of Bharatiya Nyaya Sanhita, 2023 and under sections 4, 8 and 12 of Protection of Children From Sexual Offences Act, 2012.

02] The prosecution by filing say at Exh.06, denied all allegations, contested the application on various grounds and requested for rejecting it.

03] Heard Ld. advocate Shri. A. T. Bhosale for accused/applicant and Spl. PP Shri. Sandip Ohol for State. Perused record. Following points

arise for determination and my findings thereon for the reasons recorded thereunder are as follows :-

Sr No.	Points	Findings
1.	Whether the accused/applicant is entitled to get relief of bail ?	<u>No.</u>
2.	What order ?	<u>As per final order.</u>

REASONS

AS TO POINT NOS-1 AND 2 :-

04] In support of the application the accused/applicant has produced on record his affidavit dated 16.05.2026.

05] In support of the say, the prosecution has not produced on record any affidavit.

06] It reveals that, there are allegations against the accused that, in spite of engagement with the girl friend of victim, he started talking with minor daughter of complainant, aged about 13 years and 5 months i.e. victim, on mobile phone, meet her at the time of Bhaubij festival, on 15.04.2026 at about 7.30 a.m. she called him so as to meet her as she is alone in her aunt's house, he and his nephew came on two wheeler, taken her at different villages including village of his sister, resided there for 18 days, during said period he committed repeated sexual intercourses with her, then taken her at different village, resided there for about 6 days and

during said period also he committed repeated sexual intercourses with her.

07] Advocate of accused/applicant submitted that, the victim herself called the accused/applicant though his marriage was settled with girl friend of victim, there was no any force of pressure, there was no promise of marriage, the relations were consensual out of love and affection, he falsely came to be implicated in alleged offence, the ingredients of alleged offence cannot be attracted, the investigation is completed, his further detention is not necessary, he is not habitual offender, he is having 53% disability, since 32 days he is behind the bars, he is bread earner in his family, ready to give appropriate bail and abide by it's conditions and as such in view of cases of **Nitin Damodar Dhaberao Vs. State of Maharashtra**, [AIROnline 2024 BOM 20], **Vishal Vs. The State of Maharashtra and Ors.**, [Manu/MH/2304/2020], **Anirudha Radheshyam Yadav Vs. The State of Maharashtra**, [Manu/MH/0064/2020], **Faizan Wahid Baig Vs. The State of Maharashtra**, [Bail Application No.3372 of 2021, dated 15.11.2022 (Hon'ble High Court, Bombay)] and **Dinesh Fakira Mohurle Vs. The State of Maharashtra and Anr.**, [2025 ALL MR (Cri) 270], he may be released on conditional bail, otherwise, he will suffer an irreparable loss.

08] The prosecution objected and Spl. PP submitted that, the accused/applicant has committed very serious offence of kidnapping minor victim complainant aged about 13 years and 5 months when he is aged about 31 years, committing repeated rape on her, there is prima facie evidence including Medical Certificate against the accused/applicant and if

he is released on bail, he will pressurize and tamper prosecution witnesses, cause danger to the life of victim, will repeat similar kind of the offences, will create law and order problem and will abscond and thus, he is not entitled to relief of bail.

09] After hearing arguments, I have gone through the record. It reveals that, though the accused/applicant is of 31 years and his marriage was settled with the friend of the victim, who is aged about 13 years and 5 months, instead of marrying with her girl friend, he started talking with the victim on mobile phone and met her at her aunt's house. Though there are no allegations of any force or pressure or promise of marriage, it cannot prima facie inferred that victim of such age studied upto 7th Standard is of understandable age. The submissions of Advocate of accused/applicant that the relations between accused/applicant and victim were consensual, therefore cannot be accepted as correct one, at this very prima facie stage. When there is prima facie evidence including Medical Certificate of the victim and in the circumstances argument of Advocate of accused/applicant that the alleged offences cannot be attracted, cannot be accepted as correct one, at this very prima facie stage. If the severity of the offence is taken into consideration, the submissions of Advocate of accused/applicant that the accused/applicant is not habitual offender, he is having 53% disability, since 32 days he is behind the bars and he is bread earner in his family, cannot be accepted as correct one. I have gone through the cases relied on by Advocate of accused/applicant. In cases of **Nitin Damodar Dhaberao Vs. State of Maharashtra**, [AIROnline 2024 BOM 20] and **Anirudha Radheshyam Yadav Vs. The State of Maharashtra**,

[Manu/MH/0064/2020], Hon'ble High Court pleased to grant bail to the accused due to filing of a chargesheet long back and no progress in the trial. In cases of **Vishal Vs. The State of Maharashtra and Ors.**, [Manu/MH/2304/2020], **Faizan Wahid Baig Vs. The State of Maharashtra**, [Bail Application No.3372 of 2021, dated 15.11.2022 (Hon'ble High Court, Bombay)] and **Dinesh Fakira Mohurle Vs. The State of Maharashtra and Anr.**, [2025 ALL MR (Cri) 270], it is observed by their Lordships that when a boy and minor girl are in love with each other and choose to live together without consent of their parents, then 7 factors are to be considered for grant of bail. In present proceeding, the accused/applicant is not a boy as he is of 31 years and the victim appears to be not of understandable age. There is no any case of living together with each other without consent of their parents. The case law relied on and submissions advanced by advocate of accused/applicant, with due respect will not help to the accused/applicant at this very prima facie stage.

10] The prosecution thus appears to be rightly objected and Spl. PP submitted that, the accused/applicant has committed very serious offence of kidnapping minor victim complainant aged about 13 years and 5 months when he is aged about 31 years, committing repeated rape on her, there is prima facie evidence including Medical Certificate against him and if he is released on bail, he will pressurize and tamper prosecution witnesses, will repeat similar kind of the offences and will abscond and thus, he is not entitled to relief of bail.

11] Considering facts, circumstances, evidence on record and legal position discussed above, I come to the conclusion that, the accused/applicant failed to prove that, he is not entitled to get relief of bail. Accordingly, point No.1 answered in the “Negative” and I pass the following order.

ORDER

Application is hereby rejected.

Date:-09.07.2026.

(R. G. Malashetti)
Special Judge under POCSO Act,
Baramati.

CERTIFICATE

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

Court Name :- R. G. Malashetti,
Special Judge under POCSO Act, Baramati

Name of Steno. :- I. E. Deshmukh, (Steno -Grade-1)

Date of order. :- 09.07.2026.

Order signed by PO. on :- 09.07.2026.

Order uploaded on :- 09.07.2026.