

Cri. Bail Appln. No. 476/2026

CNR NO. MHPU140011282026

Harshad Raju Shinde



Vs.

State of Maharashtra
(Through Yavat Police Station)

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

(A) CASE DETAILS

Fir Number and Date	152/2026 dt.14.02.2026
Police Station, District and State	Yavat Police Station, Pune Rural (Maharashtra)
Sections invoked	U/s 137(2),65, 65(2),74, 75, 3(5) of BNS and Sec.4,6,8,12 of POCSO Act
Maximum punishment prescribed	Imprisonemnt for life

(B) CUSTODY AND PROCEDURAL COMPLIANCE

Date of Arrest	02.06.2026
Total period of custody undergone	2 Month 1 Day

(C) STATUS OF TRIAL

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

(D) CRIMINAL ANTECEDENTS

Fir Number and Police Station	C.R.No.32/2017, Yavat Police
-------------------------------	------------------------------

	Station
Sections	U/s 3 r/w 25 of the Arms Act
Status (Pending/acquitted/convicted)	Pending

Fir Number and Police Station	C.R.No.632/2018, Yavat Police Station
Sections	U/s 326, 506, 452 of IPC
Status (Pending/acquitted/convicted)	Pending

Fir Number and Police Station	C.R.No.847/2018, Yavat Police Station
Sections	U/s 392,363,34 of IPC
Status (Pending/acquitted/convicted)	Pending

Fir Number and Police Station	C.R.No.1125/2022, Yavat Police Station
Sections	U/s 376 of IPC
Status (Pending/acquitted/convicted)	Pending

(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. **Harshad Raju Shinde**.

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

3] It is the case of prosecution that applicant/accused no.2 Harshad sexually assaulted the victim. Thereafter, she informed about the said fact to the accused no.1 Santosh. Thereafter, accused no.1 Santosh kidnapped the victim and repeatedly committed penetrative sexual assault upon the victim.

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 of Yashwantnagar, Yavat. 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 investigation is in progress. Therefore, if the accused no.2 Harshad is released on bail, 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 no.2 Harshad cannot be ruled out. Moreover, accused no.2 Harshad is having several criminal antecedents. Hence, it is prayed to reject the application.

6] Perusal of statement of the victim shows that role of accused no.2 Harshad is limited to causing sexual assault to the victim. It is pertinent to note that the allegations regarding sexual assault at the hands of victim are made after the period of more than one year. Moreover, reason regarding said delay is not specified in the statement of the victim. Therefore, it prima facie creates doubt upon the genuineness of the said allegations.

7] Case diary shows that substantial part of the investigation is already completed. Moreover, it is not contention of the investigating officer that anything is remained to be recovered from the possession of accused no.2 Harshad. It is not disputed by the prosecution that accused no.2 Harshad is having permanent place of residence at Yavat. Therefore, it prima facie shows that accused no.2 Harshad is not at flight risk. In view of all the aforesaid facts and circumstances of the case, it will be just and proper to release the accused on bail. 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 **Harshad Raju Shinde** 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.152/2026 registered with Yavat Police Station, for the offence punishable under Sections 137(2),65, 65(2),74, 75, 3(5) of the Indian Penal Code, 1860 and Section 4,6,8 and 12 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 : 03.08.2026

(Hitendra Urmila Anilkumar Wani)
Additional Sessions Judge, Baramati.