

MHPU140015652025

**Spl. Case No.-133/2025**

**Aditya Bapu Dhivar Vs. State of Maharashtra
through Yavat P.S.**

(A)	CASE DETAILS	
	FIR Number & Date	624/2023, 10/06/2023
	Police Station, District and State	Yavat Police Station, Pune
	Sections invoked	354D & 506 of IPC and Section 12 of POCSO Act, 2012
	Maximum punishment prescribed	Three Years and Fine.
(B)	CUSTODY & PROCEDURAL COMPLIANCE	
	Date of Arrest	10/06/2023
	Date of MCR	11/06/2023
	Total period of custody undergone	1 day
(C)	STATUS OF TRIAL	
	Stage of proceedings (Investigation/Chargesheet/Cognizance/Framing of Charges/Trial)	Hearing before charge.
	Total number of witnesses cited in the chargesheet	11
	Number of prosecution witnesses examined	Nil.
(D)	CRIMINAL ANTECEDENTS	
	FIR No. & Police Station	Not disclosed by the accused.
	Sections	Not disclosed by the accused.

	Status (Pending/Acquitted/Convicted)	Not disclosed by the accused.
(E)	PREVIOUS BAIL APPLICATIONS	
	Court	Special Judge, Baramati.
	Case No.	Spl. Case No. 135/2025
	Outcome of case	Interim Bail granted as on 11/12/2025.
(F)	COERCIVE PROCESSES	
	Whether any Non-Bailable Warrant was issued	NA
	Whether declared a proclaimed offender	NA

ORDER BELOW EXH.-7

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.-624/2023, registered with Yavat Police Station, punishable under Sections 354D & 506 of IPC and Section 12 of Protection of Children From Sexual Offences Act, 2012.

02] The prosecution by filing say at Exh.6 and Exh.18, denied all allegations, contested the application on various grounds and requested for rejecting it.

03] Heard Ld. advocate Smt. A.N. Sonawane 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>Yes.</u>
2.	What order ?	<u>As per final order.</u>

REASONS

AS TO POINT NOS-1 AND 2 :-

04] In support of the application neither the accused/applicant and in support of the say, nor the prosecution and complainant have not produced on record any affidavit.

05] It reveals that, there are allegations against the accused that, during the period in between 08/04/2022 to 05/06/2023 on Pune to Solapur Highway, in front of Oasis Hotel, within the limits of village Sahajpur as well as in village Tilekarwadi, he though having knowledge that the complainant/victim is minor, followed her, told her that he likes her, asked her about marriage, sent messages and done phone calls frequently, outraged her modesty, gave threats of committing suicide and on pretext of marriage, caught hold her left hand by his right hand and outraged her modesty.

06] Advocate of accused/applicant submitted that the accused/applicant has not committed any offence, as per his application at Exh. 5, the Court has granted him interim bail as on 11/12/2025, now say of prosecution is received, the victim though served with notice failed to file the say and as such he may be released on regular bail.

07] The prosecution objected and Spl.PP submitted that, the accused/applicant has committed very serious offence of outraging modesty of minor complainant/victim, his mobile phone has not been recovered, the investigation is incomplete and he is released on bail, he will pressurize and tampered prosecution witnesses and will abscond.

08] After hearing arguments, I have gone through the record. It reveals that, the accused/applicant is already released on interim bail by my Ld. Predecessor. Though, the prosecution claimed nature of the offence is serious one, the punishment provided for the same appears to be not more than 3 years and fine. However, there is substance in objection raised by the prosecution in respect of recovery of mobile phone of the accused/applicant. But, advocate of accused/applicant submitted that he is ready to produce mobile phone before the investigating officer. In the circumstances, there is no any hurdle in granting conditional regular bail to the accused/applicant.

09] Considering facts, circumstances, evidence on record and legal position discussed above, I come to the conclusion that, the accused/applicant prima-facie proved that, he is entitled to get relief of bail, but subject to certain conditions. Accordingly, point No.1 answered in the “Affirmative” and I pass the following order.

ORDER

1] Application is allowed as follows :

i) The accused/applicant Shri. Aditya Bapu Dhivar, R/o.Dalib, Taluka-Daund, District-Pune subject to following conditions, he be released on conditional bail of PR of Rs.50,000/- (Rupees Fifty Thousand only) and one or two sureties in the like amount, from

Crime No.-624/2023, registered with Yavat Police Station, punishable under Sections 354D & 506 of IPC and Section 12 of Protection of Children From Sexual Offences Act, 2012.

ii) The accused/applicant shall not abscond but attend the office of the investigating officer as and when ordered by him and also attend the dates fixed by the Court, without fail.

iii) The accused/applicant, on or before next date, shall appear in concerned police station and produce his mobile phone.

iv) The accused/applicant shall not directly or indirectly make any inducement, threat, pressure or promise to any prosecution witnesses including the victim, shall not cause any danger to their life or body and shall not in any manner, tamper with the prosecution evidence.

v) The accused/applicant shall not enter into an area in which victim is residing and taking education, until further order or conclusion of trial, whichever is earlier.

vi) The accused/applicant shall not commit similar kind of offences while he is on bail.

vii) The accused/applicant to furnish list of his three close relatives along with their names, addresses, address and identity proof, so as to approach them, in case he found unavailable.

2] Breach of any one of above conditions will be liable for cancellation of the bail.

Date:-28.05.2026.

(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. :- P.C. Berad, (Steno -Grade-3)

Date of order. :- 28.05.2026

Order signed by P.O. on :- 28.05.2026

Order uploaded on :- 28.05.2026