

MHRG010008372024



Spl. (POCSO) Case No.23/2024.

The State of Maharashtra

Vs.

Raja Rama Pawar & Ors.

ORDER BELOW EXH. 3

The accused Raja Rama Pawar has filed application for bail under Section 483 of Bhartiya Nagrik Suraksha Sanhita, 2023.

02. It is contended by Adv. Rashmi Ghaisas for the accused that the offences under Sec.376(2)(j) and (n), 376(3) of The I.P.C. and under Sec.4, 6, 8, 10 of The Protection of Children From Sexual Offences Act, 2012 and under Sec.9, 10, 11 of The Prevention of Child Marriage Act, 2006 is registered against the accused. In fact, the accused has not committed any offence. Further after investigation the charge-sheet is filed and therefore the custody of the accused is not required. Hence, she prayed for bail.

03. Learned APP Shri. P. P. Hajare filed say at Exh.4 and resisted the application. According to him, the offence is serious and if the accused is released on bail, there is possibility of fleeing from justice.

04. I have gone through the charge-sheet. It is alleged

that the accused performed marriage with the minor victim knowingly and kept physical relations with her frequently. During investigation the accused was not arrested by the police and the accused is produced before the Court alongwith the charge-sheet. This fact itself shows that the custody of the accused is no more required as the investigation is completed in absence of the accused.

05. Further the accused is permanently residing at Hetavanewadi, Kamarli, Tal-Pen, Dist-Raigad alongwith his family. He is 25 years old and having no criminal antecedent. Thus his presence during trial can be secured. Hence, I pass following order.

**ORDER**

1. The application Exh.3 is allowed.
2. The accused Raja Rama Pawar be released on bail on furnishing P. R. Bond of Rs.25,000/- with one surety in like amount in connection with the offence registered with Pen Police Station vide Crime No.171/2024 under Sec.376 (2) (j), (n), 376 (3) of the I.P.C. and under Sec. 4, 6, 8, 10 of The Protection of Children From Sexual Offences Act, 2012 and under Sec.9, 10, 11 of The Prevention of Child Marriage Act, 2006.
3. The accused Raja Rama Pawar shall not tamper the prosecution evidence and regularly attend the Court.

P. & D. in the open Court.

Alibag.

Date: 24/07/2024

(N. K. Maner)

Special Judge & Additional  
Sessions Judge, Raigad-Alibag.