

MHRG010008372024



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

The State of Maharashtra

Vs.

Raja Rama Pawar & Ors.

ORDER BELOW EXH. 4

The accused Nos.2 and 3 namely Shri. Rama Shra-
van Pawar and Smt. Soni Rama Pawar have filed application for
bail under Section 483 of Bhartiya Nagrik Suraksha Sanhita,
2023.

02. It is contended by Adv. Shubham Vele 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, he prayed for
bail.

03. Learned APP Shri. P. P. Hajare filed say at Exh.5 and
resisted the application. According to him, the accused per-
formed the marriage of minor victim with accused No.1 Raja
Pawar. The offence is serious and if the accused are released on
bail, there is possibility of fleeing from justice.

04. I have gone through the charge-sheet. It is alleged that the accused Nos.2 and 3 are the parents of accused No.1 Raja Pawar. They were knowing that the victim is minor. Even though they performed the marriage of accused No.1 Raja Pawar with the minor victim. It is to be noted that during investigation the accused were not arrested by the police and the accused are appeared suo motu before the Court. After investigation the charge-sheet is filed. Thus the custody of the accused is no more required as the investigation is completed in absence of the accused.

05. Further the accused are permanently residing at Hetavanewadi, Kamarli, Tal-Pen, Dist-Raigad alongwith the family. They are not having criminal antecedent. Thus their presence during trial can be secured. Hence, I pass following order.

ORDER

1. The application Exh.4 is allowed.
2. The accused No.2 Shri. Rama Shravan Pawar and accused No.3 Smt. Soni Rama Pawar be released on bail on furnishing P. R. Bond of Rs.15,000/- each 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 No.2 Shri. Rama Shravan Pawar and accused No.3 Smt. Soni Rama Pawar shall not tamper

the prosecution evidence and regularly attend the Court.

P. & D. in the open Court.

Alibag.

Date: 01/08/2024

(N. K. Maner)

Special Judge & Additional
Sessions Judge, Raigad-Alibag.