

MHRG170011782025



**IN THE COURT OF SPECIAL
JUDGE AT PANVEL, DISTRICT-
RAIGAD**

SPECIAL CASE NO.148/2025

The State of Maharashtra --- Prosecution

Vs.

Aatish Devidas Patte --- Accused

Corum - Santosh C. Shinde

Date - 11th September 2025

Appearance-

Ld. advocate Mr. Dinesh Shah for accused.

Ld. Spl. P. P Smt. Wade for the State of Maharashtra.

Order Below Exh.3

1. Heard Ld. advocate Mr. Dinesh Shah for accused & Ld. Spl. P. P Smt. Wade for the State.
2. Application is filed for regular bail.
3. Notice was issued to State of Maharashtra & investigation officer. Say is filed at exh.4 and application is strongly objected.
4. Perused charge-sheet.

5. FIR shows that victim is daughter of informant. On 19th April 2025, informant & his wife had gone on work. On that day, victim had gone to school in uniform to attend examination. At about 12.30 PM informant had gone to receive her from the school but she was not found in the school. Her search was taken but she was not found therefore FIR was registered for kidnapping.
6. Ld. advocate for accused submitted that accused & victim were familiar to each other and they were in love. Victim had to marry accused therefore, she had eloped with accused. There was no instigation by accused. Victim has kept physical relationship with her consent. She is active on social media and she has sufficient understanding. Accused has no antecedents. Investigation is completed and further custody is not required. Applicant is ready to abide by stringent conditions.
7. Ld. advocate for accused has relied upon judgment of Hon'ble Bombay High Court in **Vijay Chand Dubey Vs. The State of Maharashtra & Anr. [Cri.B.A.No.3899/2024 decided on 17th February 2025]**. I have considered this citation while deciding this bail application.
8. Ld. Spl. P. P submitted that offence is serious in nature. Accused is not permanent resident therefore; he may not be available for trial. He may again commit similar offence. He may threaten the witnesses.
9. Record shows that victim is 14 years old. Her statement shows that she came in contact with accused before two months of incident. Both were talking on phone. She was in love with

accused. She herself had gone with accused at Surat. They had taken room on rent and accused had found job there. Both had decided to marry.

10. If age of victim & her statement is considered then it becomes clear that she has sufficient understanding & capacity to know full import of her actions. Now, charge-sheet is filed. Applicant has no antecedents. Except apprehension of prosecution about threats & repetition of offence there is no other reason to reject the bail application.
11. Accused was arrested on 24th July 2025 and since then he is behind bars. Bail is rule and jail is exception. Object of bail cannot be ignored. Bail cannot be withheld as punishment. It will take time to commence & conclude the trial therefore it would not be proper to keep accused behind bars for indefinite period otherwise it will amount to pre-trial conviction therefore, accused can be released on bail by imposing conditions. As a result, I pass the following order.

ORDER

1. Application is allowed.
2. Accused Aatish Devidas Patte be released on furnishing P.B & S.B of Rs.15,000/- (Rupees Fifteen Thousand) with one or two sureties in like amount in crime No.170/2025 registered at Kharghar Police Station, Navi Mumbai for offence punishable u/s.137(2) & 65(1) of the BNS, 2023 and u/s.4, 8 & 12 of the Protection of Children from Sexual Offences Act, 2012, if he is not required in any other offence.

3. Accused, till further orders, shall not enter in the area where victim & her family ordinarily resides or works for gain.
4. Accused, in future, shall not commit offence of similar nature.
5. Accused shall not, directly & indirectly, make any inducement, threat or promise to any person acquainted with facts & circumstances of case so as to dissuade him from disclosing such facts to the police & Court.
6. Accused shall not leave India without previous permission of the Trial Court.
7. Accused shall furnish his permanent & temporary residential proof, valid e-mail ID and mobile number.
8. Registry is directed to inform accused about this order by e-mail.

(Application is disposed of accordingly)

Sd/-

Panvel
Date - 11/09/2025

(Mr. S. C. Shinde)
Special Judge, Panvel,
Dist.-Raigad