

MHRT010003052026



BEFORE THE SPECIAL COURT, RATNAGIRI

(Presided over by V. Y. Jadhav, Judge, Special Court, Ratnagiri)

CRIMINAL BAIL APPLICATION NO. 43 OF 2026.

Prathamesh Popat @ Balu Chavan
Age 21 years, Occupation – Plasterer
R/o. Dadar, Kalkavane,
Tal. Chiplun, Dist. Ratnagiri.

Applicant.

Versus

State of Maharashtra,
Through, Inspector of Police,
Nate Sagari Police Station,
Crime No. 83/2025.

Opponent.

Order Below Exh. 01

(Dictated and delivered in open Court on 16.06.2026)

1. This application has filed by applicant/accused Prathamesh Popat @ Balu Chavan under Section 483 of B.N.S.S. for grant of regular bail in Crime No. 83/2025 of Nate Sagari police station; for the offences punishable under Sections 137(2), 64(1), 64(2)(m), 64(2)(i), 87, 96, 142 of B.N.S. and under Section 3, 4, 5, 6 of POCSO Act.

2. Perused the application and say. Heard respective counsels.

3. Ld. Counsel for the applicant submitted that there are allegations against the applicant that he had allegedly eloped with the minor victim in the year 2025 and stayed with her. Now she is two months pregnant. That even on previous occasion one FIR was lodged having similar allegations against the applicant in respect of same victim and Special Case No. 13/2024 is pending against the applicant.

4. In fact, the victim is in genuine love with the applicant and that is reason for leaving the house. If the FIR would perused no suspicion has raised against the applicant. The incident is of November 2025. However, the parents did not suspect the applicant. That the FIR also indicates that the victim left house on her own. Therefore, there is no prima-facie material against the applicant. Even otherwise when this is case of genuine love between teenager, it is necessary to consider the guidelines and parameters mentioned in para No. 12 of the decision in the case of *Sunil Patil*.

5. Even otherwise the applicant is 21 years old and is only bread earner of the family. He is from uneducated background. That if the applicant would

not be enlarged on bail the family would suffer a lot. That the investigation is practically completed, hence, he may be enlarged on bail on appropriate conditions.

6. In support of his argument the Ld. SPP relied upon following citations.

1) *Nilesh Sanjay Nile Vs. The State of Maharashtra and another, reported in 937 Bail Application No. 909 of 2025, dated 15.10.2025.*

2) *Mandip Gyan Singh Vs. The State of Maharashtra and Anr., reported in Bail Application No. 2657 of 2024, dated 13.02.2025.*

3) *The State of Uttar Pradesh Vs. Anurudh & Anr., reported in Petition for Criminal Appeal @ Special Leave to Appeal (Crl.) No. 10656 of 2025, dated 09.01.2026.*

4) *Sunil Mahadev Patil Vs. State of Maharashtra, reported in 2015 DGLS(Bom.) 433.*

7. On the other hand, Ld. SPP Shri. A. A. Fansekar and the Ld. Counsel for the informant submitted that the offence is serious in nature. The applicant has repeated similar behaviour and therefore, he was well aware about the age of the victim. The applicant has jumped up the conditions of previous bail in previous case i.e. Special Case No. 13/2024. Moreover, considering the age of the victim so called consent is immaterial. Hence, the application may be rejected.

8. In the present case, the applicant has not disputed that this is second crime registered against him in respect of the same victim and previous crime having similar allegations is pending against him for trial. Therefore, there is prima-facie material to indicate that he was knowing the age of the victim.

9. So far as the parameters in the case of ***Sunil Patil Supra*** the Hon'ble Bombay High Court has also directed to consider the factors like antecedent, capability of offender of repeating act and chance of tampering the evidence. In the present case this is second crime registered against the applicant of the same allegations. Therefore, there is also possibility of repeating the same. Thirdly, considering that the victim is now pregnant. The possibility of pressurizing her also could not be ruled out. Therefore, the parameters cited by the applicant are required to consider against him.

10. So far as other decision are concerned in the case of ***Nilesh Nile, Supra;*** it has observed that at the time of the alleged incident the applicant himself was below age of 18 years. In the case of ***Mandip, Supra;*** the facts are altogether different. Moreover, in the present case the investigation is still in progress and enlargement of applicant at this juncture may

create hurdle in the investigation. Hence, I pass following order.

ORDER

1. The application is hereby rejected.
2. Informed the concerned accordingly.

(V. Y. Jadhav)
Special Judge, Ratnagiri.

Date: 16.06.2026

I affirm that the contents of this P.D.F. file order are same, word to word, as per the original order.

Case Number		Cri. Bail Appln.No.43/2026
Name of Stenographer	:-	Sou. P. S. Lad
Name of Court	:-	Special Judge, Ratnagiri.
Date of Dictation	:-	16.06.2026
Order signed by the P.O. on	:-	16.06.2026
Order uploaded on	:-	16.06.2026