

MHRT130001752026

**ORDER BELOW EXH.1**

<u>Criminal Bail Application No.30/2026.</u>		
1.	Sau. Sita Santosh Rajveer Age : 48 years, Occu:	Applicants
2.	Shri. Santosh Ramaji Rajveer Age : 51 years, Occu: Both R/o. Pimpali Budruk, Taluka Chiplun, District Ratnagiri	

Versus

	The State of Maharashtra Through Police Inspector Guhagar Police Station Taluka Chiplun, District Ratnagiri.	Opponent
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REGULAR BAIL APPLICATION UNDER S.482 OF B.N.S.S.

<u>Appearances</u>	
For applicant	Advocate Shri. R. V. Bapat
For State	APP Shri. P .S. Shetye

A)	Case details :	
1.	FIR number and date	12/2026 Dated 25.02.2026
2.	Police Station, District, State	Police Station Guhagar Taluka Guhagar, District Ratnagiri, State Maharashtra
3.	Sections invoked	Sections 137(2), 64(2)(i), 64(2)(m), 351(2) of BNS, under sections 4, 8 & 12 of POCSO Act and under sections 9, 10 & 11 of Child Marriage Restrain Act
4.	Maximum punishment prescribed	Which can extend to the remainder of the offender's natural life

B)	Custody and procedural compliance :	
1.	Date of Arrest	N.A.
2.	Total period of custody undergone	N.A.
C)	Status of trial :	
1.	Stage of proceeding	Chargesheet has been filed and it is numbered as Special Case No.8/2026 and pending for framing of charge.
2.	Total number of witnesses cited in the charge-sheet.	16
3.	Number of prosecution witnesses examined	N.A.
D)	Criminal antecedents :	
1.	FIR and Police Station	Nil
2.	Sections	Nil
3.	Status	Nil
E)	Previous bail applications :	
1.	Court	N.A.
2.	Case number	N.A.
3.	Outcome of case	N.A.
F)	Coercive processes :	
1.	Whether any non-bailable warrant was issued	N.A.
2.	Whether declared a proclaimed offender	N.A.

ORDER BELOW EXH.1

(Passed on 09.07.2026)

This bail application is filed by the applicants, namely Sita Santosh Rajveer and Sanotsh Ramaji Rajveer, under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with Crime No.12/2026, registered at Guhagar Police Station under sections 137(2), 64(2)(i), 64(2)(m), 351(2) of BNS, under sections 4, 8 & 12 of POCSO Act and under sections 9, 10 & 11 of Prohibition of Child Marriage Act.

The Brief facts of the prosecution case are as follows:-

2. The informant/mother of the victim filed a complaint on 25.02.2026, stating that her 17-year, 1-month, 12-day-old daughter was kidnapped from her lawful guardianship by an unknown person.

Based on this, Guhagar police station registered Crime No. 12/2026. The victim was traced and found to have been kidnapped by Deepak Manohar Harekar, who also committed rape on her between 24.02.2026 and 26.02.2026. On 26.02.2026, she was married to him. The present applicants, Sita Rajveer and Santosh Rajveer, are relatives of the accused Deepak Harekar. They were named as accused for committing an offence under the Prohibition of Child Marriage Act. The applicants/accused were summoned by the Investigation Officer through a notice under section 35(3) of BNSS. They cooperated with the police. The police chose not to arrest them and filed a charge sheet against them along with other accused persons. The applicants/accused filed this anticipatory bail application on the following grounds.

3. Applicants/accused claimed that they have no criminal antecedentes or background. Applicant No.1 is a homemaker, while applicant No.2 works in JK Files. They possess movable and immovable property and are unlikely to abscond if released on bail. If bail is denied, it could affect their social status. A charge-sheet has already been filed in court, and Special Case No.8/2026 is pending. They are ready and willing to comply with any conditions imposed by the court. Hence, they pray for the grant of anticipatory bail.

4. The prosecution filed a reply at Exh.6 and resisted the application. It is claimed that except for accused No.1 Deepak Harekar, they have not arrested the other accused and filed a charge-sheet.

5. The victim filed a reply that the applicants/accused forcibly married her to accused No.1. They may pressurise her or her family not to give evidence against them. Hence, prayed for the

rejection of the application.

6. I heard learned Advocate for applicant/accused. I also heard learned APP for State.

7. In this matter, it is alleged that accused No.1 Deepak Harekar kidnapped the victim and committed rape on her. Thereafter, with the help of other accused persons, he forcible married the victim. The applicants/accused are relatives of accused No.1 Deepak. They have not been arrested by the police. According to the police, they cooperated with the investigation. The chargesheet has already been filed. In view of the judgment of the Hon'ble Supreme Court in the matter of **Mahadoom Bava v/s. CBI AIR 2023 SC 1570**, the accused may apply for anticipatory bail even after the filing of the chargesheet and despite not being arrested by the police during investigation. Therefore, the applicants/accused are entitled to anticipatory bail subject to conditions. Hence, I proceed to pass the following order.

ORDER

1. The application (Exh.1) is allowed.
2. In the event of arrest, the applicants/accused Sita Santosh Rajveer and Sanotsh Ramaji Rajveer, be released on bail, in connection with Crime No.12/2026, registered at Guhagar Police Station under sections 137(2), 64(2)(i), 64(2)(m), 351(2) of BNS, under sections 4, 8 & 12 of POCSO Act and under sections 9, 10 & 11 of Prohibition of Child Marriage Act, on their furnishing Bail Bonds of Rs.50,000/- each, with one or more solvent sureties in the like amount each, on the following conditions;
 - (i) The applicants/accused shall not tamper with the prosecution evidence in any manner, and shall not indulge in any type of criminal activity or similar

offences.

- (ii) The applicants/accused shall not directly or indirectly make any inducement, threat, or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court and police.
 - (iii) The applicants/accused are to provide a copy of proof of their residence along with the mobile numbers of the applicants and their two relatives.
 - (iv) The applicants/accused shall not enter the Guhagar Tahasil without prior permission of the trial court till the conclusion of the trial.
3. Inform the police station accordingly.

Date: 09.07.2026.

Sd/-
(D. B. Mhalatkar)
Judge, Special Court, Chiplun

Case No. ABA 30/2026 (Order Below Exh.1)

I affirm that the contents of this pdf file order are same word as per original order.

Name of Grade I Stenographer : Sandeep S. Patil

Court Name : Judge, Special Court, Chiplun

Date of Decision : 09.07.2026

Order Signed by P.O. on : 09.07.2026

Order uploaded on : 09.07.2026