



ORDER BELOW EXH No. 1 IN
REGULAR BAIL APPLICATION
No. 59/2026

(Shridhar alias Akshay Dhondi Naik v. State)

1. This bail application is filed in Crime No. 78 of 2026 registered at Kudal Police Station for the offence punishable under sections 69, 318(2), and 351(2) of the Bharatiya Nyaya Sanhita, 2023 (the “BNS”). The applicant is the sole accused.
2. Perused relevant papers from the case file, the contents of the bail application, and the say of the State.
3. The FIR is dated 04.03.2026. The informant victim is 27 years old. There was friendship between the informant and the applicant. The informant alleges that the applicant kept physical relations with her between February 2025 and 04.03.2026 intermittently, under the bet of marriage. Later when the victim was discovered to be pregnant, the applicant refused to marry. He threatened the informant that he would kill her mother.
4. Heard.
5. Ld advocate for the applicant submits that this is a case of full consent. There was love affair between the applicant and the informant. He submits that the applicant is only 23

years old. Therefore, the bail applicant needs to be allowed. He submits that the applicant was arrested on 09.03.2026.

6. Ld ADPP submits on the lines of State say Exh 8 and police say report Exh 9. On 30.03.2026 the victim was present and filed her objection Exh 10. She expressed that there is danger from the applicant, if he released on bail. The Ld ADPP and IO have expressed that the offence is of serious nature, the applicant may threatened or pressurize the victim and the witnesses, he may commit other crimes.
7. My observations are as follows.
8. The applicant was arrested on 09.03.2026. Ld advocate for the applicant has relied on **Sujal Sudam Kale v. State of Maharashtra and Anr.** and **Dinesh Fakira Mohurle v. State of Maharashtra and Anr.** in which the respective accused were released on bail on the basis of their love affairs with the respective victims. In the present case the case laws are squarely applicable. The applicant is only 23 years of age. The victim is 27 years of age, as per the age mentioned in the FIR. The victim was knowing the consequences of her act. Therefore, prima facie the physical relations were with consent. Whether the physical relations were under the bet of marriage, can be left to the evidence in the trial.
9. The investigation shall take some time to complete. The

trial shall take some time to start and complete. Keeping in view various observations and directions of the Hon'ble Supreme Court in ***Satender Kumar Antil v. CBI*** I have come to the conclusion that no purpose would be served by keeping the applicant behind the bar. Bail is a rule and jail is an exception. Presumption of innocence prevails. Detention in jail pending the trial against the accused may result in pre-conviction punishment.

10. It is made clear, if there is any convincing adverse reporting against the applicant/s from the informant or the IO regarding violation of bail condition/s, this bail order shall be liable to be cancelled.
11. Resultantly, I pass the following Order.

ORDER

1. The application is allowed.
2. The applicant Shridhar alias Akshay Dhondi Naik arrested in Crime No. 78 of 2026 registered at Kudal Police Station for the offence punishable under sections 69, 318(2), and 351(2) of the Bharatiya Nyaya Sanhita, 2023 (the "BNS"), be released on executing a PR Bond in the sum of ₹15,000/- (Rupees

Fifteen Thousand only) and furnishing surety bond in the equal amount of one local solvent surety.

3. The applicant shall attend the concerned Police Station on every Tuesday at 11:00 am, and shall co-operate with the Investigating Officer.
4. The applicant shall furnish his mobile number and his address. Applicant shall notify promptly if there is any change in the mobile number or his address.
5. The accused shall not travel beyond the state of Maharashtra without prior permission of this court or of the court where his trial shall be pending.
6. The applicant shall not, directly or indirectly, make any inducement, threat or promise to the victim or any witnesses or any person acquainted with the facts of the accusation against him so as to dissuade them from disclosing such facts to the Court or to any Police Officer or shall not tamper with evidence.
7. The applicant shall not commit similar offence in future with which he is booked.

8. The applicant shall surrender original passport, if any, to the concerned Police Station.
9. The applicant shall not leave India without prior permission of the Court.
10. Bail before the Court where the remand/case file is pending.

Place: Sindhudurg at Oros
Date: 01.04.2026

(Dr Sudhiir M Deshpande)
Sessions Judge
Sindhudurg at Oros

All concerned to act upon digitally signed uploaded copy of this order, the printout of which can be verified from the official website of this court. In this regard attention of all concerned is invited to the authority of the Hon'ble High Court of Bombay (Bench at Aurangabad) ***Shital Krushna Dhake v. Krushna Dhake***, MANU/MH0285/2018.