

CNR NO. MHND170004202025

Sessions Case No. 18/2025
(The State of Maharashtra Vs. Sachin J. Sakat)

ORDER BELOW EXH. 11

This is second bail application filed on behalf of accused under section 483 of the Bhartiya Nagarik Suraksha Sanhita 2023 for the offence punishable u/s.140(3), 62, 63, 63(v), 63(vii), 64 (2)(i), 64 (2)(k) of B.N.S. in Crime No. 25/2025 registered with Atpadi Police Station.

2. In brief, the story of the prosecution is as under -

The informant lodged complaint alleging that on 24.01.2025 at 3 p.m. he received call from Jaykumar Gangadhar Shrikhande. He told the informant that his daughter Sayali had been called and informed that victim was forcibly taken away by unknown person of approximately 35 to 40 years old wearing black flower al shirt and while paint from the front side of Z.P Primary school, Karmala on a motorcycle with the word POLICE written in red radium letter on its number plate. The informant, Jaykumar Shrikhande, Sourabh Shrikhande and Amol Shrikhande went to the place, the children told to original complainant that someone had taken victim on motorcycle towards Rajewadi road and at that time victim was screaming. It is further alleged that, the informant and all above people went to Rajewadi to search victim. When Amit Shrikhande and Amar Shrikhande went to Rajewade lake in search of victim at

4.30 p.m., she was found near reservoir of Rajewadi lake, she was scared. After that the informant along with Prashant Shrikhande and Sourabh Shrikhande went there and took victim to home. The victim could not tell anything about the incident when those persons asked her about the matter. Thereafter complaint came to be lodged to police station, Atpadi.

3. The accused arrested on 25.01.2025 and he is in MCR since 29.01.2025. First bail application filed by the accused after filing charge-sheet was rejected. Now report of Forensic Science Laboratory has been received and nothing appears against the accused, therefore in these change in circumstances, this second application for regular bail, is filed.

4. According to accused, he is innocent and falsely implicated in the crime. Charge-sheet is submitted. The C.A. report is in favour of the accused. There is delay to file FIR. No specific overt-act is attributed. There is no direct evidence against applicant regarding abduction to the victim. There is no medical evidence about commission of rape. The accused is permanent resident of village Paraswadi, Tal. Maan, Dist. Satara. He is ready to obey the condition imposed by the court.

5. The investing officer has filed say below Exh.14 and prayed to reject the application stating that, offence is serious in nature. The victim is mentally disabled lady and accused

committed sex with her. Father of the victim is handicapped, therefore there is more possibility of causing danger to life of the victim and her father, if accused released on bail. The accused will destroy the evidence and also pressurize the witnesses, if released on bail. The relatives of the victim are angry with the accused, therefore if accused is released on bail, question of law and order will arise. The accused is resident at Palsavde, hence he will abscond, if released on bail.

6. The informant has filed say below Exh.17 stating that, his cousin sister was not traced out, so he lodged complaint to police station. He is not eye witness to the incident and no incident was occurred. He went to police station to file missing complaint. Hence necessary order be passed.

7. Learned advocate Shri. A.D. Wasekar for accused has submitted as per contents in the application. The story of the prosecution is solely based on last seen theory. The victim is mentally ill lady. There is nothing on record against the accused. There are no eye witnesses to the incident. CA report is submitted in the matter and nothing incriminating appears against the accused in C.A. report. The antecedents of the accused are clear. The accused is ready to obey conditions imposed by the court, if released on bail.

8. On the other side, learned APP Smt. R.M. Satvilkar has submitted, the victim being mentally retarded lady, cannot tell anything about the incident. The investigating officer has recorded statement of two children who has stated that the accused took victim with him. Those minor witnesses identify the accused and victim. The C.A. report will be considered at the appropriate time, i.e at the time of evidence. Prima-facie there is material evidence against the accused. The prosecution is ready to conduct the trial day today. It is prayed application be rejected.

9. According to the accused, C.A. report is filed on record, is the ground to change in the circumstances to file this application. The accused is charge-sheeted for the serious offence. Though at this stage the informant has stated by way of filing say on affidavit that, he went to police station to lodge missing complaint, but he is unable what was mentioned in the complaint. This fact will consider after examination of material witnesses by the prosecution. Prima-facie, there is evidence of witnesses who had saw victim with the accused and condition of victim when she was with the accused and found at the lake. The prosecution is ready to proceed the matter day today. The accused is resident at Satara, therefore more chances of absconding. If the accused is released on bail, he will hamper or tamper prosecution witnesses and it will cause danger to life of victim and her father. Charge is framed and matter is kept for

evidence.

10. In view of all above facts and circumstances and nature of gravity of accusation, accused is not entitled to release on bail. Therefore, I do not accept submission of learned advocate for accused and accept submission of learned APP. Accordingly, I pass following order -

ORDER

1. Bail application (Exh.11) of accused Sachin Jalinder Sakat is rejected.
- 2 This application is decided and disposed off accordingly.

Vita
Date : 29/11/2025.

(U. V. Indapure)
Addl. Sessions Judge,
Vita

CERTIFICATE

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

Name of the Stenographer	:-	Shri. A. B. Kamble Stenographer (Grade-I)
Name of the Court	:-	Addl. Sessions Judge, Vita
Date of the Judgment/Order	:-	29/11/2025
Judgment/Order signed by the Presiding Officer on	:-	01/12/2025
Judgment/Order uploaded on	:-	01/12/2025