

CNR NO. MHSN170010162025

Spl. (Pocso) Case No. 73/2025
(Vinodkumar G. Bharati Vs. State of Maharashtra)

Order below Exh. 6

This application is filed on behalf of accused for regular bail u/s.483 of Bhartiya Nagari Suraksha Sanhita 2023, in connection with C.R. No.177/2025 registered in Kadegaon police station for the offence punishable u/s.137(2), 64(2) (m), 89 of B.N.S. 2023 and section 4,6 and 8 of POCSO Act 2012.

2. In brief facts of the application are as under -

The crime is registered on basis of MLC intimation received from Krishna Hospital, Karad and thereafter statement of victim was recorded. As per case of prosecution, victim was acquainted with accused and they had love affair and developed relationship between them. The victim left her parent's house and started residing with accused in the house adjacent to shop of Akla Khan. During that period accused established physical relation with victim. In August 2025, victim realized that she is pregnant. Thereafter accused had given medicine to her for termination of pregnancy which is resulted into bleeding and pain in her stomach. On 23.09.2025 at 4 a.m. victim was paining in her stomach and bleeding from her private part, therefore the victim alongwith accused went to the hospital of Dr. Pawar who has advised to go Krishna Hospital, Karad for sonography. Accordingly they went to Krishna Hospital and taken treatment.

As Accused has been kept physical relation with victim since one year till 23.05.2023, though he was knowing victim was minor. On the basis of said information, crime came to be registered in police station Kadegaon.

3. According to accused, he was arrested on 25.09.2025. Initially he was remanded to police custody and thereafter taken in magisterial custody. The accused is in Magisterial Custody since 28.09.2025. The I.O. has submitted charge-sheet in the court.

4. According to the accused, he is innocent and falsely implicated in this crime. There is no evidence against him, therefore, Section 4,6 and 8 of POCSO Act are not made out. I.O. has collected all documents and investigation has been completed. The applicant is sole earning member of his family and permanent resident of address mentioned in the application. The applicant is ready to obey conditions imposed by the court, if released on bail.

5. Investigating officer has filed say below Exh. 11 and prayed to reject the application stating that, the accused has committed serious offences. The accused is from the state of Uttar Pradesh. If the accused is released on bail then he will not remain present for trial. The accused has kept physical relation with the victim who was minor and also gave medicine to the victim for termination of pregnancy, such act of the accused is

serious in nature. If the accused is released on bail, he will hamper and pressurize the prosecution witnesses. The possibility cannot be ruled out, he would not have fear of law in his mind, if released on bail.

6. The father of the victim has filed say below Exh.9 and has given no objection to allow the application.

7. Learned Advocate Shri. A.I Inamdar for the accused has submitted that, the incident occurred with consent of the victim as there was love and affection between the victim and the accused. The prosecution has to prove contents in the FIR. Father of the victim has given no objection to the application of the accused. The investigating officer has not collected any documents to prove the age of the victim. The accused has not committed any crime as alleged in the FIR and he is in jail since 28.09.2025, hence he be enlarged on bail.

8. On the other side learned APP Shri. M.H. Gramopadhye for the state has submitted that, the accused is resident of Uttar Pradesh. There is material on record to show that victim was minor at the time of incident. The consent of victim is not material in the eyes of law. The accused played active role to bring tablet and to give it to victim. The offences leveled against the accused are serious in nature. If he released on bail, he will not remain present in the court at the time of trial. It is prayed application be rejected.

9. I have gone through record and submission of both sides. It appears from FIR that victim has narrated that accused kept physical relations with her and she became pregnant. Thereafter, accused gave her medicine for termination of pregnancy. All these facts disclosed while the victim was taken to the hospital of Dr. Pawar. It is the matter of evidence to see whether I.O. has collected evidence about the age of the victim. A perusal of C.A. report clearly shows that, the victim and the accused are biological parents of product of conception of the victim. There are witnesses who have stated that accused had kept physical relation with victim and she became pregnant. They have also stated that accused gave tablets to victim for termination of pregnancy.

10. Though the father of the victim has given no objection to allow the application, but material evidence collected by I.O., clearly shows that the accused has committed serious offence and that to on minor girl. Charge yet to be framed. Accused is permanent resident at Bhojpur, Post Dhawai, Tal. Tulsipur Dist. Balarampur Uttar Pradesh and father of the victim is resident at Uttarrawala -Fattepur, Dist. Balarampur, U.P. The accused and victim are resident at Balarampur, therefore there are chances that accused will pressurize the victim and prosecution witnesses, if released bail. I. O. has collected sufficient evidence against the accused. In these facts and circumstances, I do not find substance in submission of learned advocate for the accused.

In the result, I pass following order -

ORDER

- 1 The application for regular bail of accused -Vinodkumar Girre Bharati is hereby rejected.

This application is decided and disposed off accordingly.

Date:- 02.03.2026

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

CERTIFICATE

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

Name of Stenographer	: A. B. Kamble (Steno Grade-I)
Court	: Addl. Sessions Judge, Vita.
Date of order	: 02.03.2026
Signed by Presiding officer on	: 02.03.2026
Uploaded on	: 04.03.2026