

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE, SOLAPUR**  
(Presided over by Suraj V. Kendre)



**Special Case No. 10/2024**  
**Kalidas Dattu @ Dattatray Barbole etc. 1Vs. State**  
(CNR No. MHSO010000692024 )

**Order Passed Below Exh. 04**

1. This application is filed by accused No. 2 Jalindar Dattatray Barbole under section 483 of B.N.S.S. in Crime No. 799/2023 registered at Mohol police station for the offences punishable under sections 354(A), 451 & 506 of Indian Penal Code and under section 3(1)(w)(i)(ii), 3(1)(r)(s) & 3(2)(va) of Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act.

2. As per the oral argument and contents of application it is the case of accused No. 2 that, he has not committed any offence as alleged in the report. The police have given him notice under section 41(A)(1) of Cr.P.C. and thereafter he has cooperated with police during investigation. He has no criminal background. He is ready and willing to furnish surety. He will not tamper with the prosecution evidence. Therefore, he may be released on bail.

3. The learned A.P.P. and informant have filed their say and opposed the application. As per their say, oral and written arguments it is their case that, the co-accused was having knowledge about the caste of informant. The co-accused with intent to commit the offence entered in the house of informant, outraged her modesty, abused and threatened her. The

applicant has threatened the informant to withdraw the complaint. Thus, nature of offence is serious. If the applicant is released on bail, then there is possibility of pressurizing the witnesses, his absconding and commission of similar offences in future. The offence is antisocial and against women. There is involvement of the applicant. Filing of charge sheet shows there strong evidence against the applicant as held in *Virupakshappa Gouda Versus State of Karnataka*. Therefore, application may be rejected.

4. Heard both sides. Perused report and charge sheet. It prima facie appears from the report that, on 01/11/2023 at 09:00 p.m. Kalidas Dattatray Barbole entered in the house of the informant. He has touched arm of informant and outraged her modesty. He has abused her on caste. He has threatened her.

5. It is necessary to point out that, on 01/11/2023 the alleged incident took place and the report is lodged on 04/11/2023 belatedly after 3 days. The delay has not been explained by the informant. Therefore, on this count alone the report becomes doubtful.

6. Besides the alleged incident took place in the house of informant and not in the public view. Moreover it is nowhere mentioned in the report and charge sheet that the co-accused with intent to humiliate and insult the informant has abused.

7. Name of applicant is not mentioned in the report and charge sheet. Nothing is to be recovered from the

applicant. He has no criminal background. Investigation is completed and charge sheet is filed. No purpose will be served by keeping the applicant behind bars for indefinite period. In such circumstances, if the applicant is kept behind bars, then he will be subjected to humiliation in the society at large. Therefore, with due respect the above case is not helpful to the prosecution. Hence, the present application deserves to be allowed. Resultantly, following order is passed.

**ORDER**

1. Regular bail application is allowed.
2. Interim bail order dated 19/01/2026 is hereby confirmed as per the terms and conditions mentioned therein.

(Dictated and pronounced in open court).

**(Suraj V. Kendre)**  
**Additional Sessions Judge,**  
**Solapur.**

**Date : 28/04/2026**

**CERTIFICATE**

I affirm that the contents of this PDF file Judgment/Order is same word to word as per the original Judgment/Order.

- (a) Name of the Stenographer : Mahesh Arjun Kore (Grade-1)
- (b) Court : Ad-hoc District Judge-1 & Addl. Sessions Judge Solapur.
- (c) Order dictated by P.O. on : 28/04/2026
- (d) Order signed by P.O. on : 28/04/2026
- (e) Order uploaded on : 28/04/2026