



IN THE COURT OF ADDL. SESSIONS JUDGE, PANDHARPUR
Order Below Exh.1 in Criminal Bail Application No. 311/2026
CNR - MH50006742026

Rohit Kisan Rathod

... Applicant/accused

Versus

The State of Maharashtra
(Through Police Station Officer
Karkamb Police Station
vide C.R. No. 132/2026)

... Respondent/State

Appearance

Mr. A. A. More, Ld. Advocate for the applicant / accused

Mr. S. S. Dulange, Ld. APP for the Respondent / State

(ORAL ORDER)

(Dictated and pronounced in the open Court)

01. This is an application filed by applicant/accused for grant of regular bail u/s 483 of BNSS, for releasing him in connection of crime No. 132/2026 registered at Karkamb Police Station for the offence punishable under section 64(1), 69 of BNS and section 4, 8 of POCSO Act.

02. The applicant/accused submitted that, he has not committed any crime. He has been falsely implicated in this crime. He has no concern with crime. The complainant and accused were having love relationship since last one year. Before the time of incident the

informant herself made text to the applicant/accused to come at her house at Marathwadi. There is no intention or motive on the part of present applicant to commit offence. The applicant is permanent resident of Marathwadi, Tal. Ashti. He will not tamper prosecution witnesses. He is ready to abide all the terms and conditions imposed by the Court. Hence, applicant/accused prayed for grant of bail in connection of crime No. 132/2026 registered at Karkamb P. S.

03. The Ld. APP submitted say at Exh. 4 and resisted the application on the ground that alleged offence is serious in nature. It is punishable up to imprisonment of life. During the period from 01.02.2026 to 28.02.2026 the accused under the pretext of marriage took the victim behind the house of victim in agricultural land and committed intercourse with victim and she became pregnant. Offence is serious in nature. Accused is arrested on 06.05.2026. The accused was aware that, victim was minor. In spite of that, he committed intercourse with victim. There is sufficient evidence collected against the accused. Charge sheet is filed against the applicant. If bail is granted to the accused, then he will put pressure on complainant and witnesses. Lastly the Ld. APP prayed for rejection of application.

04. The I.O. has filed say at Exh. 5 and submitted that, investigation is in progress. Alleged offence is against minor girl and serious offence. Investigation is in progress. If bail is granted to applicant/accused then, he will tamper prosecution witness and also

repeat the offence. The accused will not remain present during Court proceeding if enlarged on bail. Lastly the I.O. prayed for rejection of bail application.

05. The notice was served to the informant. The informant appeared through Advocate and filed affidavit at Exh. 8. The informant submitted that, he as well as victim have no objection to grant of bail to the accused, Hence, he gave no objection to grant bail to the applicant.

06. Heard Ld. Advocate Shri. Mahesh Tavale along with Sanjay Dushing for applicant/accused and Ld. APP Shri. Dulange for state, at length. I also heard Ld. Advocate K. A. Kshirsagar for informant at length.

07. Perused the contents of application and say filed by APP, I.O. and informant.

08. By this application the applicant prayed for grant of bail. Ld. APP and I.O. objected application. I have gone through the FIR. The name of applicant is mentioned in FIR. It is alleged in FIR that, the accused said to victim/informant that, he likes her and and he loves her and wants to marry her. The accused under pretext of marriage took the victim behind his house in agricultural land and forcibly committed intercourse with victim and she became pregnant. The FIR shows that, the age of victim was 16 years 2 months. As per FIR, the incident occurred in February 2026. But FIR lodged on 05.05.2026. There is

delay in lodging the report. The FIR itself shows that, the victim was taken to the hospital as she was suffering stomach pain and it was revealed that, she was pregnant of 11th weeks and at that time she disclosed her parents that, accused committed forceful intercourse with her. Before 05.05.2026 the victim was not disclosed anything to her parents. The FIR itself shows that, she and applicant/accused were having regular calls as well as chat between them. The FIR also shows that, on the day of incident also the accused made call to victim and told her that, he will meet her in the night and accordingly the accused made call to the victim at about 11.30 p.m. and called her behind her house in agricultural land. The FIR also shows that, victim went to the said field, in order to meet the accused. The FIR shows that, she did not shout or never told to her parents that, accused committed intercourse with her. The victim was on verge of majority. She was aware about consequences of her act.

09. In present case, the investigation of the crime has been completed and charge sheet has been filed by the I.O. The Ld. APP in his reply submitted that, charge sheet has been filed against the accused. In my view, as investigation is completed and charge sheet is filed against the accused, there is no hurdle to grant bail to the applicant/accused. In addition to this, the informant has filed his affidavit at Exh. 8 and she has given no objection to grant of bail to the applicant/accused.

10. In present case, the applicant/accused is in custody from

06.05.2026. No purpose will be served by keeping him behind the bar. The trial will take much time to conclude. The applicant is prima facie not a threat to victim and conditions can be imposed to keep him away and ensure that, he does not contact the victim. The applicant is labour by profession. His family is dependent upon him. Applicant/accused cannot be kept in custody for indefinite period. Moreover, he has no criminal antecedent. Therefore, by imposing conditions the accused/applicant can be released on regular bail.

11. Considering the nature of offence and role played by the accused in the crime, I am of the view that, the accused/applicant is entitled for regular bail. Hence, applications needs to be allowed. Thus I pass following order.

ORDER

- 1 Criminal Bail Application No. 311/2026 is allowed.
- 2 Applicant/accused namely Rohit Kisan Rathod, resident of Marathwadi, Tal. Ashti, Dist. Beed, is ordered to be released on regular bail on furnishing P. B. of Rs. 25,000/- with one surety of like amount, in connection with C.R.No. 132/2026 registered with Karkamb police station for the offence punishable under 64(1), 69 of BNS and u/s 4, 8 of POCSO Act, on following conditions :-
 - a) Applicant/accused and his sureties shall provide his residential addresses, mobile number and email address, if any to investigation officer. Applicants/accused shall intimate any such change in address or telephone number and Email ID forthwith.
 - b) Applicant/accused shall not, directly; or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against them so as to dissuade them from disclosing such facts to the Court or to any police officer.

- c) Applicant/accused shall not leave India without the previous permission of this Court.
- d) Applicant/accused shall attend the concerned police station once in a week i.e. on every Sunday in between 11.00 a.m. to 1.00 p.m. till filing of charge sheet.
- e) Applicant/accused shall not tamper with the prosecution witnesses and evidence in any manner.
- 3. Breach of any conditions by applicant/accused shall result in cancellation of regular bail.
- 4. Bail Application No. 311 of 2026 is disposed off accordingly.
- 5. Bail be furnished before Special/this Court.

Date : 17.07.2026.

(A. S. Salgar)
Special (POCSO) Judge, Pandharpur.

CERTIFICATE

I affirm that, the contents of this PDF file are same word to word as per the original.

01. Name of the Stenographer - Santosh Vilas Ghongade.
02. Name of the Court - Court of Dist. Judge 03,
Pandhapur.
03. Order/judgment signed by P.O. on - 17.07.2026.
04. Order /Judgment uploaded on - 17.07.2026.