

**IN THE COURT OF ADDITIONAL SESSIONS JUDGE-3 AND
SPECIAL JUDGE (POCSO ACT) WARDHA.**

Spl.Case No.89/2025.
CNRNo.MHWR010017262025.

Annaji @ Maroti Lakshamn Shendre,
Aged about 45 years, Occ.- Labour,
R/o Sai Mohala, Beghar Basti,
Anji(Moti), Tah. Arvi, Dist. Wardha. ... **Applicant/Accused.**

Versus

State of Maharashtra,
Through its Police Station Officer,
Police Station, Kharangana. ... **Non-applicant.**

ORDER BELOW EXH.4
(Passed on 08.04.2026)

The application Exh.4 is for grant of regular bail under Sec. 483 of B.N.S.S. made by accused/applicant in connection with F.I.R.No.450/2025 for the offences punishable under section 96 of BNS, section 4, 8, 12 of POCSO Act, registered at Kharangana Police Station. This is the first bail application after filing of charge-sheet.

2] The brief facts arising out of FIR and charge-sheet are as under :

The son of informant was playing on Rest House at 4.00 p.m. and subsequently he returned of home while crying, the victim child (boy) reported to his mother that when he was playing in the Rest House, accused called him and offered Rs.10/- and subsequently removed his pant and attempted sexual assault on him by inserting

his penis in the anus of victim boy. When informant rushed in the Rest House, accused ran away from the spot and therefore, she lodged FIR against accused vide FIRNo.450/2025 for the offences punishable under section 96 of BNS, section 4, 8, 12 of POCSO Act, registered at Kharangana Police Station.

3] It is submitted by the accused/applicant that it is false case registered against him. There was some dispute between accused and informant. Due to which, the false case registered against him. The charge-sheet is already filed. The accused is aged about 45 years and having no criminal antecedents. So, on these grounds, accused is praying for releasing him on regular bail.

4] The learned APP Shri.P.P. Soitkar has filed reply below Exh.6 alongwith say of investigating officer. It is submitted by the prosecution that the offence is serious in nature. There is medical having to such sexual assault attempted by the accused. So, considering these grounds, prosecution is praying for rejection of instant bail application.

5] The victim/informant appeared before the court and filed her reply below Exh.5. It is submitted by the victim/informant that if accused is released on bail, he may threaten her or prosecution witnesses. So, on these grounds victim is praying for rejection of instant application.

6] Heard learned Advocate Shri.D.M. Verma, DLADC for

applicant/accused. Heard learned APP Shri. P.P. Soitkar. Perused charge-sheet and case proceedings.

7] The main allegations against accused is that on 04.07.2025 accused allegedly attempted the act of sexual assault on victim boy and also attempted to offer him Rs.10/-. Though, the elaborate analysis of material collected by the investigating officer is not warranted at this stage. The certain factual aspects are required to be noted. It must be noted that the FIR was promptly lodged on same day hardly within few hours of the incident. The medical papers are available on record. It is showing that victim boy was immediately examined. The said medical report is reflecting that there were abrasion and injury to the anus of the victim. The said injury is reflecting the presence of immediate contact and sexual assault as alleged in the FIR. The application preferred by the accused is nowhere indicating any explanation for the said injury to the private part of the victim boy.

8] The statement of all important witnesses were also promptly recorded. So, considering all these points, if the evidence collected by the investigating officer is translated into admissible evidence, the accused may be convicted in the serious offence, which may be punishable by imprisonment for life or more. There is absolutely nothing on record to exercise judicial discretion for releasing the accused on bail in the background of these facts. The record is further indicating that matter is pending for charge. There are hardly 3-4

witnesses, which are required to be examined in this case. So, under such circumstances, I am of the opinion that there are no just and sufficient ground to allow this application. Hence, I proceed to pass the following order :

ORDER

1] Cri. Bail application below Exh.4 is hereby rejected.

Place : Wardha.

Date : 08.04.2026.

(**S.G. Adake**)

Addl. Sessions Judge-3 &
Spl. Judge (POCSO Act), Wardha

CERTIFICATE

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

(Vidyadhar B. Bokde)
Stenographer (Gr.-I)