

IN THE COURT OF ADDITIONAL SESSIONS JUDGE, WASHIM*(Presided over by M. S. Sahastrabudhe)***CRIMINAL BAIL APPLICATION No. 90/2026****CNR No. MHWS010003062026**

Applicant : Sau. Vimal Sheshrao Pakhale
Aged about 50 Yrs, Occup. Service
R/o. Mungla,
Tq. Malegaon Dist.Washim.

- Vs.-

Non-applicant : State of Maharashtra,
Through Police Station Officer,
Malegaon, Tq. Dist.Washim.

Application under Section 482 of B.N.S.S.2023 for anticipatory bail.

ORDER BELOW EXHIBIT NO. 1*(Passed on 27th day of March 2026)*

The present application is filed by the applicant under Section 482 of B.N.S.S. in crime No.191/2026 of Malegaon Police Station registered for the offence punishable under Section 64, 74, 296, 352, 3(5) of BNS, 2023.

2. In brief, it is the contention of the applicant that FIR is registered against her by the informant alleging that on 23/02/2026 the husband and son of the informant went out of station for some work. She was alone in the house. On that day, at about 11.00 p.m. without any reason the applicant was abusing the informant by standing in front of her house. There were usual quarrels between the informant and applicant on some trivial issues. As such the informant

did not take the said abuses seriously and did not give report in police station and went to sleep. On the next day morning at about 4.30 a.m. the informant went out outside for urination. At that time, the applicant and her husband were also awake. On seeing the informant, the applicant started abusing her in filthy language and she instigated her husband i.e. the other accused to commit rape on the informant. Without thinking of any consequences the applicant with her husband entered the house of the informant. The husband of the applicant i.e. other accused committed rape on the informant and he pressed her mouth so she should not shout. At that time, the applicant had caught the legs of the informant due to which she could not move. Thereafter, they threatened the informant that if at all she discloses about the incident to anybody then they would kill her. Thus, it is contention of the informant that the applicant in furtherance of common intention with her husband had committed rape on her. As such she had given the report of the incident.

3. It is the contention of the applicant that the false report is given by the informant against them on the ground of previous disputes. The entire contention in the report are doubtful and imaginary. She further submitted that she is working as Anganwadi Sevika and her daughter is diagnosed with acute appendicitis recently. The applicant is required to take care of her daughter. There is delay in FIR. The applicant has no criminal antecedents and she is bread earner of her family. She is permanent resident of village Mungala. The investigation is nearly complete and nothing is to be recovered from the possession of the applicant. Hence, she has prayed that her application for grant of anticipatory bail be allowed.

4. The said application is strongly opposed by Ld. A.PP and I.O. by filing say below Exh.06. It is their contentions that DNA samples and clothes of the victim are seized and sent for chemical analysis. The spot panchnama is prepared and statement of some witnesses is recorded. The offence is of a serious nature and the applicant is absconding. The applicant and victim are residing adjacent to each other and if at all the applicant is released on bail, she might pressurize the victim. Hence application needs to be rejected.

5. Considering submissions of both the sides, so also on perusal of the record and case diary, it appears that the offences of a serious nature. From the medical examination report of the victim multiple abrasions are seen on her inner thighs. The applicant and the victim are residing nearby and their relations are strained. The investigation is still in progress. Considering the nature of the offence, the arrest and custodial interrogation of the applicant will be necessary. Considering all these aspects, applicant do not deserve for anticipatory bail and accordingly I proceed to pass the following order :-

ORDER

Application stands rejected.

Place : Washim
Date : 27/03/2026.

(M. S. Sahastrabudhe)
Addl. Sessions Judge, Washim.

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Crim. Bail. Appln. No.90/2026

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	:- Nitin B. Khandare, Stenographer (Grade-1)
Court Name	:- District Judge-3 & Additional Sessions Judge, Washim
Date	:- 27/03/2026
Order signed by the Presiding Officer on	:- 27/03/2026
Order uploaded on	:- 01/04/2026