



Spl. Atrocity Case No.42/2026
State vs Kishor
MHWS010005992026

ORDER BELOW EXH.3

The present application is filed by applicant to grant bail under section 483 of B.N.S.S., 2023.

2. In brief, it is the contention of the applicant that he is charge-sheeted for the offence punishable under Sections 130, 296, 115(2), 351(2) of BNS, 2023 & Sections 3(1)(r) & 3(1)(s) of SC & ST [Prevention of Atrocities], Act. During investigation, the accused have cooperated the investigation and the Investigating Officer has not arrested him. Notice under Section 35(3) of B.N.S.S was given to the present applicant by the Investigating Officer. He is not arrested by the police and charge-sheet is filed. The applicant is ready to abide by all the conditions that would be imposed by the court. He will not tamper the prosecution evidence. Hence, regular bail be given to the applicant.

3. The said application is strongly opposed by the Ld. APP by filing say overleaf. It is her contention that the offence is of a serious nature. Accused very well know about the caste of complainant inspite of the same he had abused the informant on her caste in public place and in public view. The accused had assaulted the informant and had threatened her. Hence, application is without merits and it needs to be rejected.

4. Said application is also opposed by I.O. by filing say below Exh.4. It is his contention that there is sufficient evidence on record against accused to conclude that he had committed the offence. If at all

accused is released on bail then there is possibility that he might pressurize the informant and the witnesses. Hence, the application is without merits and it needs to be rejected.

5. Present application is also opposed by informant by filing say below Exh.7 She has narrated about incident mentioned in the FIR and has further submitted that accused person is threatening her and pressurizing her. If the accused is released on bail then he might again pressurize the informant and remove her from the job. There is also threat to the life of the informant and witnesses. Hence, the application is without merits and it should be rejected.

6. Considering submissions of both the sides, so also for perusal of the record, it appears that notice under section 35(3) of B.N.S.S. was given to accused and he has thoroughly cooperated in the investigation. The I. O. did not feel the necessity to arrest the accused. Now the charge-sheet is filed after completion of the investigation. Entire evidence is collected by the prosecution and nothing further has to be recovered from the possession of the accused. The accused is having the fixed place of residence within the jurisdiction of this court. Though the informant has expressed the apprehension that if accused is released on bail he might kill her and remove her from the job still it needs to be appreciated that the accused was never arrested by the police and even now he is working with the informant. Hence, the apprehension of the I.O. and the informant that accused might threaten or tamper with the prosecution evidence can be taken care of by imposing necessary conditions. Hence, applicant is entitled to be released on bail on the following conditions :-

ORDER

- (i) Application is hereby allowed.
- (ii) Accused **Kishor Balasaheb Deshmukh** in Crime No. 988/2025 under Sections 130, 296, 115(2), 351(2) of BNS, 2023 & Sections 3(1)(r) & 3(1)(s) of SC & ST [Prevention of Atrocities], Act, he be released on bail on furnishing personal bond of Rs.25,000/- (Rs. Twenty Five Thousand only) with one solvent surety in the like amount.
- (iii) He is directed not to tamper with the prosecution evidence.
- (iv) He is directed directed not to contact or threaten or pressurize the informant or any the prosecution witnesses.
- v) He is directed directed not to involve himself in any criminal activity.
- (vi) He is directed further directed to furnish copy of Aadhaar Card, Ration Card or any document of address proof and cell number at the time of furnishing surety.

Dt:-04/07/2026

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

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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	:-	R.K.Pawar, Stenographer (Grade-1)
Court Name	:-	District Judge-3 & Additional Sessions Judge, Washim
Date	:-	04/07/2026
Order signed by the Presiding Officer on	:-	04/07/2026
Order uploaded on	:-	04/07/2026

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