

Cri.B.A.No.200/2026
Vivek v. State
MHWS010006272026

Order below Exh.01.

The applicant Vivek Vishwanath Mane has filed present application for grant of anticipatory bail under section 482 of the BNSS, 2023 apprehending his arrest in crime No.365/2026 for the offence punishable under Sections 23, 4, 5(1)(a) and 6(a) of the Pre conception and Pre natal Diagnostic Technique (Prohibition of Sex Selection) Act, 1994 (PCPNDT Act) registered with Police Station Malegaon, Tq.Malegaon, Dist. Washim.

2. Heard learned advocate for the applicant and learned APP for the State. Perused citations.

3. It is submitted that the complaint alleged that based on a confidential trap regarding sex determination at Mane Hospital (Sonography Center), a decoy operation was organized. It is alleged that a decoy patient and an intermediary, Deepak Badar, approached the hospital on 23/05/2026. The prosecution claims that hospital staff member Krishna Khadse and the intermediary demanded money and Rs.23,000/- was handed over to them. Furthermore, it is alleged that another staff member, Gajanan Wankhade, took the decoy to a cabin where an unknown female doctor performed the sonography. The FIR states that the raiding

team arrived at 12.15 hours, at which time no female doctor was found in the sonography room, and the alleged sum of money was not found with the hospital staff. The intermediary, Deepak Badar, had fled the scene.

4. It is submitted that the applicant was not present at the hospital during the alleged decoy operation. The prosecution's own case states that the alleged sonography was performed by an unknown female doctor not by the applicant. Further, the alleged demand and acceptance of the Rs.23,000/- was purportedly done by the intermediary, Deepak Badar and staff member Krishna Khadse. The applicant is being falsely implicated solely in his capacity as the doctor/ owner of Mane Hospital. It is submitted that the applicant is reputed medical practitioner with deep roots in the society of Malegaon, Washim. Applicant is ready to abide by any conditions imposed by the Court. Hence, prayed to grant anticipatory bail. The learned advocate for the applicant relied on following citations.

- i) Criminal Revision Application No.69/2014, dated 27/11/2020 Mohankumar Bandopant Nagane v. State of Maharashtra, 2021 CRI. L.J.1096.
- ii) Criminal Appeal no.3747 of 2024, dated 12/09/2024, Ravinder Kumar v. State of Haryana, AIR 2024 Supreme Court 4311.
- iii) Criminal Appeal No.2207 of 2023, (Arising out of Special Leave Petition (Crl.) No.3433 of 2023) dated

31/07/2023, AIR 2023 Supreme Court 3610.

5. The investigating officer and learned APP filed say vide Exh.08 and opposed the application. It is submitted that the offence is serious one and non bailable. The amount alleged to be accepted is yet to be seized. The investigation is in progress and custodial interrogation of accused is necessary for further detail investigation. If applicant/ accused is granted anticipatory bail, he may tamper prosecution evidence. The applicant/accused also may pressurize the witnesses. Hence, prayed to reject the application.

6. After going through the record it appears that most of the investigation is completed. So also sonography machine is also seized. It also appears that in this matter already co accused Krushna Khadse and Gajanan Wankhede are released. Hence, considering this facts and circumstances, the applicant is granted bail on stringent condition. Hence, I pass the following order :-

ORDER

1.	Application is allowed.
2.	In the event of arrest of the applicant/accused Vivek Vishwanath Mane in crime No.365/2026 for the offence punishable under Sections 23, 4, 5(1)(a) and 6(a) of the Pre conception and Pre natal Diagnostic Technique (Prohibition of Sex Selection) Act, 1994 (PCPNDT Act) registered with Police Station Malegaon, Tq.Malegaon, Dist. Washim, he be released

	on P.R. Bond of Rs.1,00,000/- with two solvent sureties of Rs.50,000/- each.
3.	Applicant/accused should not pressurize the complainant and the witnesses and shall not contact with the complainant in any manner.
4.	Applicant/accused shall attend the concerned police station on every Thursday in between 11.00 a.m. to 2.00 p.m. till filing of the charge-sheet.
5.	Hamdast allowed.

Date : 03/06/2026

(V. D. Ingle)
Additional Sessions Judge,
Washim.

CERTIFICATE

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

Name of Stenographer	:- R.R.Bharad, Stenographer (Grade-I)
Name of Court	:- Smt.V.D.Ingle District Judge-2 and Additional Sessions Judge, Washim.
Date of Judgment/ Order	:- 03/06/2026
Judgment/Order signed by the Presiding Officer on	:- 03/06/2026
Judgment/Order uploaded on	:- 03/06/2026