

IN THE COURT OF ADDITIONAL SESSIONS JUDGE, WASHIM
(Presided over by M. S. Sahasrabudhe)



CRIMINAL BAIL APPLICATION No. 249/2026

Keshav x State

CNR No. MHWS010007482026

ORDER BELOW EXHIBIT No. 1

(Passed on 14th day of July 2026)

The present application is filed by the applicants under Section 482 of B.N.S.S. in crime No.435/2026 of Malegaon Police Station registered for the offences punishable under Sections 74, 351 (2) (3) of BNS, 2023.

2. In brief, it is the contention of the applicant that FIR is registered against him on the basis of report given by informant on 26/06/2026 alleging that on 11/06/2026 at about 2.00 p.m. she went along-with her children to the house of her in laws. The informant is daughter in law of the applicant. On that day her husband went on duty and her children were playing outside. Her mother in law i.e. wife of the applicant was sitting outside the house and the informant was in the house. Seeing that the informant was alone applicant came near her and with ill intention he caught her hand and pulled her towards him and then he pressed her breast and had outraged her modesty. He had threatened her that if she disclosed about the incidence to anybody then he will kill her. The informant was afraid due to threat given by the applicant and without disclosing anything to anyone she went to her house. Thereafter her son was not well and was hospitalized at Government Hospital Washim. After his treatment the informant lodged report.

3. It is the contention of the applicant that the informant had given false report against him for falsely implicating him. It is further his contention that there is delay about 15 days in lodging FIR. The reason given for lodging FIR after 15 days is not satisfactory and is not supported by any documents. The applicant is the senior citizen aged about 65 years. He has no criminal antecedents. He is reputed citizen of the village and is having permanent resident in the same village. He is implicated in false case due to personal vengeance and is custodial interrogation is not required and nothing is to be seized from his possession. If at all the applicant is arrested, his reputation in the society would be ruined at this age and he would suffer hardship. The applicant is ready to abide by all the terms and conditions and are ready to cooperate in the investigation. Hence, he has prayed to allow the application and to grant of anticipatory bail.

4. The said application is strongly opposed by the Id. APP and I.O. by filing say below Exh.5. It is their contention that the applicant is father in law of informant. The applicant is absconding. The IO has submitted that if the applicant is found then notice under Section 35(3) of BNSS is to be given to him. Hence, they have prayed the application be rejected.

5. The said application is also opposed by the informant by filing say below Exh.6. She has objected the bail application that applicant is her father in law. He is always attempting to come close to the informant and he had outraged her modesty. Offence is serious in nature. If at all, the bail is granted to him, there is possibility that he might tamper the prosecution evidence and might pressurise the prosecution witnesses. Hence his bail application be rejected.

6. Heard Ld. APP and Ld. Advocate for the accused at length. Both of them have argued in accordance with their contentions in their application and say. Ld. Advocate for the accused had filed copy of NCR No.286/2026 registered on the basis of report given by the informant in which she is alleging that her husband is addicted to liquor and he always quarreling with her. On 15/06/2026 at about 7.00 p.m. he had come home under the influence of liquor and had asked the informant to bring rupees ten lakhs from her parents house. When the informant refused he abused her and had threatened to kill her. He is demanding from informant for consuming liquor when informant refuses he is assaulting her. Informant communicated said fact to applicant and his wife, who are parents of her husband, however instead of giving understanding to her husband, the applicant made allegations against the informant that she is not behaving well.

7. Considering the submissions of both sides, so also on perusal of the case diary and say of the informant, it appears that the specific allegations are made by the informant against the applicant for outraging her modesty on 11/06/2026. It is matter of record that FIR is given on 26/06/2026 i.e. after lapse of about 15 days. The informant had mentioned in the FIR as her son was hospitalized she could not file FIR within time. However, no document to support said contention are appearing on record. Further, from the copy of NCR filed by Ld. Advocate for applicant on record it appears that after the alleged incidence dated 11/06/2026 informant went to police station on 15/06/2026 and gave report against her husband and made allegations against the applicant and his wife that they are not co-operating with her. There is no mentioned in the said NCR report about the alleged incident dated 11/06/2026. The informant had

opportunity to mentioned the said incident in her report however, for the reason best known to her, she has not mentioned the said incident in the report. Further from the say of IO it appears that he does not feel necessary to arrest the applicant and custodial interrogation is not necessary. Nothing is to be recovered from the possession of the applicant. He has no criminal antecedents and considering his age anticipatory bail needs to be granted to him on certain conditions. Hence, I pass following order :-

ORDER

- (i) Application for anticipatory bail is allowed
 - (iii) In the event of arrest, applicant namely **Keshav Dagdu Gaikwad** be released on anticipatory bail on his executing PB and SB of Rs.50,000/-(Rs. Fifty thousand only) with surety in the like amount, in Crime No.435/2026 of Malegaon Police Station registered for the offences punishable under Sections 74, 351 (2) (3) of BNS, 2023 on the following conditions:-
 - (a) The applicant shall not tamper with prosecution evidence and contact with informant & any witnesses either by himself or through anybody.
 - (b) The applicant to attend Police Station, Malegaon as an when directed by the IO.
 - (c) He is further directed not to leave Malegaon Tq. Malegaon Dist.Washim without prior permission of the Court.
 - (d) He is 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.
3. Inform concerned police station accordingly.

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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	:- 14/07/2026
Order signed by the Presiding Officer on	:- 14/07/2026
Order uploaded on	:- 14/07/2026