

IN THE COURT OF ADDITIONAL SESSIONS JUDGE, WASHIM*(Presided over by M. S. Sahastrabudhe)***CRIMINAL BAIL APPLICATION No. 92/2026****CNR No. MHWS010003112026**

Applicant : Sheshrao Ukanda Pakhale
Aged about 56 Yrs, Occup. Agriculturist
R/o. Mungla,
Tq. Malegaon Dist.Washim.

- Vs.-

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

Application under Section 483 of B.N.S.S.2023 for regular 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 him 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 other accused was abusing the informant by standing in front of her house. There were usual quarrels between the informant and applicant and her family members 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 his wife were also awake. On seeing the informant, the applicant and his wife started abusing her in filthy language and the other accused instigated the applicant to commit rape on the informant. Without thinking of any consequences the applicant entered the house of the informant. The applicant committed rape on the informant and he pressed her mouth so she should not shout. At that time, the wife of 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 his wife 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 contentions in the report are doubtful and imaginary. He further submitted that he is arrested and the investigation is complete. Nothing is to be recovered from his possession. Wife of the applicant is Anganwadi Sevika and their daughter is diagnosed with acute appendicitis recently. There is delay in FIR. The applicant has no criminal antecedents and he is bread earner of his family. He is permanent resident of village Mungala. The investigation is nearly complete and nothing is to be recovered from the possession of the applicant. Hence, he has prayed that his 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.05. It is their contention 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 and victim are residing adjacent to each other and if at all the applicant is released on bail, he 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 leveled against the applicant are 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 relatives and are residing nearby, so also, their relations are strained. If at all bail is granted to the applicant then the possibility of tampering or pressuring the prosecution witnesses cannot be ruled out. The investigation is still in progress and the other accused is yet to be arrested. Considering all these aspects, it would not be appropriated to grant bail to the applicant at this stage. 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.92/2026

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	:- 01/04/2026
Order uploaded on	:- 01/04/2026