

Spl. Case No.32/2025
State Of Maharashtra through
P.S.O.P.S. Pandharkawada.
..Vs..
Sohel Ismail Tighale +1

ORDER BELOW EXH.3

(Passed on 21/02/2026)

This application has been filed by the applicant/accused by name Soheli Ismail Tighale for grant of regular bail in this Special Case arising out of crime No. 347/2025 registered with Police Station Pandharkawada charge-sheeted under Section 78, 351(2), 351(3) r/w 3(5) of the Bharatiya Nyaya Sanhita (in short BNS) along with Section 12 of The Protection of Children From Sexual Offences Act (in short POCSO Act).

2. Heard learned Advocate for the applicant/accused Shri. S. C. Borele and learned A.P.P. Shri. P. A. Mankar today. Perused the application, order on interim application, reply filed by learned A.P.P. overleaf and say given by the complainant/victim at Exh.14 and the entire charge-sheet and the record of the trial. It seems today after perusing the record that interim bail order is inadvertently passed overleaf this application instead of passing it on Exh.5 and order overleaf below Exh.3 be considered as order passed on Exh.5 as interim bail order and this order be considered as order on Exh.3 of regular bail.

3. In the light of rival submissions and considering the material in the charge-sheet it appears that this applicant was released by giving notice under Section 35(3) of B.N.S.S. during investigation by police as appeared from the record. Thus, it seems that he was not arrested during investigation by police. It further appears that he appeared suo-moto before the court after filing of charge-sheet. It also appears that till date after giving interim regular bail there are no allegations of misusing his liberty by the prosecution. The applicant is ready to abide all terms and conditions. The offences alleged against him do not attract exclusive life imprisonment or capital punishment.

4. Considering all attending facts and circumstances his custodial interrogation is not required for any purpose. By imposing certain conditions his presence can be secured for further trial. No purpose would be served by keeping him behind bars for uncertain period as the trial would take certain time to decide it on merits considering the pendency of old trials, U.T.P. trials and time bound matters. Hence, considering the nature of allegations leveled against this applicant and all attending facts and circumstances, applicant has made out a case for grant of regular bail on certain conditions. Thus, his interim bail application is liable to be confirmed by allowing this application. As

a result, the following order -

ORDER

1. Application Exh.3 is **allowed**.
2. Applicant Sohail Ismail Tighale be released on PR and SB of Rs.50,000/- in this Special Case arising out of crime No. 347/2025 registered with Police Station Pandharkawada charge-sheeted under Section 78, 351(2), 351(3) r/w Section 3(5) of Bharatiya Nyaya Sanhita and under Section 12 of The Protection of Children From Sexual Offences Act.
3. Applicant shall not commit similar type of offence or any cognizable offence while on bail.
4. Applicant shall attend the trial regularly unless exempted and shall not protract the trial due to his absence in any manner.
5. Applicant shall not hamper or tamper and pressurise the complainant or other prosecution witnesses and/or prosecution evidence in any manner.
6. Applicant shall not contact the complainant and other prosecution witnesses in any manner.
7. Applicant shall not leave the country till completion of trial.
8. The prosecution is at liberty to apply for cancellation of bail in event of breach of any condition as mentioned above by the applicant.
9. Interim bail granted earlier is confirmed on above mentioned terms.

10. Surety submitted while granting interim bail be continued as a surety for regular bail.

(Dictated and pronounced in open court today.)

Kelapur.

Date : 21/02/2026

(A.M.Deshmukh)
Special Judge-1 &
Additional Sessions Judge-1,
Kelapur, Dist. Yavatmal.