

Spl. Case No.65/2025,
State Of Maharashtra
through P. S.O. P.S., Wani
-Vs-
Badal Ananta Belekar

ORDER PASSED BELOW EXHIBIT-3

(Date: 12/12/2025)

This application has been filed by the applicant/accused for grant of regular bail in this trial which is arising out of crime No.556/2025 charge-sheeted under Section 64(2)(m) of Bharatiya Nyaya Sanhita 2023, under Section 3(1)(w)(i)(ii), 3(2)(v) of of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (in short S.C. and S.T. Act) and under Section 3(a), 4, 5(j)(ii), 5(l), 6 of POCSO Act registered with Police Station Wani. This is the first bail application of the applicant as submitted. As video recording capacity of video recording system installed in this court is full and exhausted video recording is not made.

2. Heard learned Advocate for the applicant Mr. Pimpale and learned A.P.P. Mr. Mankar. Also heard victim today when she filed reply. Perused the application, say given by I.O through learned A.P.P at Exh.4 and say given by victim at Exh.5. Also perused the entire charge-sheet and record of trial.

3. Upon considering the rival submissions in

the light of material emerged from the F.I.R. it appears that, victim aged 17 years 07 months lodged oral report at Police Station, Wani on 06/08/2025 thereby narrating that first she acquainted with accused which turned into friendship and they used to talk with each other as they took co-education till 10th Std., they also used to talk on phone, in December-2024 they married each other and started residing in a rented room, thereafter for the first time sexual intercourse took place between them, they used to stay as husband-wife, as she missed the menstrual cycle she came to know that she is pregnant, on 04/08/2025 mother of accused took victim to Asha Worker who forwarded them to Police Station and thus F.I.R. is lodged.

4. It is material to note that F.I.R. was lodged as Asha Worker forwarded victim to Police Station and since they started residing together from 11/12/2024, victim herself has not lodged any report against the applicant nor disclosed the incident of sexual intercourse to anybody. Applicant appears to be at the verge of majority considering his age. From entire material it appears that there is no element of force or violence in view of romantic relationship between the victim and the applicant.

5. Whether in view of all attending facts as emerged offence is made out or not would be decided

after full fledged trial and not at this stage.

6. Moreover, victim has no objection to grant bail to the applicant in view of her reply and submissions made today before the court. It further appears that there is no antecedent to the credit of applicant and he is a young boy of 18 years of age having residence of a village lying within the jurisdiction of this court. Thus, further presence of applicant would be secured by imposing conditions.

7. Investigation is completed and charge-sheet is filed. Custodial interrogation of the applicant is not required for any purpose of investigation. Applicant is behind bars since 07/08/2025 till date. Trial has not yet started. Considering old U.T.P. trials, time bound trials and other old matters, certainly some considerable time would take to culminate the trial on merits. Considering all attending facts, no purpose would be served by keeping the applicant behind bars for uncertain period when his further presence for trial could be secured. By imposing certain conditions and stringent restrictions including not entering in the close vicinity of victim till conclusion of trial would take care of the apprehensions and concerns raised by the prosecution.

8. In view of above discussion, in the light of all attending facts and circumstances as emerged and

completion of investigation, the applicant has entitled to get bail on certain stringent conditions and restrictions by allowing this application. Thus, the following order -

ORDER

1. Application Exh.3 is allowed.
2. Applicant Badal Ananta Belekar be released on PR and SB of Rs.50,000/- with one solvent surety in the like amount in this trial arising out of Crime No.556/2025, with Police Station, Wani charge-sheeted for the offences punishable under Section 64(2)(m) of Bharatiya Nyaya Sanhita 2023, under Section 3(1)(w) (i)(ii), 3(2)(v) of of Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (in short S.C. and S.T. Act) and under Section 3(a), 4, 5(j)(ii), 5(l), 6 of POCSO Act.
3. Applicant shall not enter into the close vicinity where victim resides for any purpose till completion of trial.
4. Applicant shall not make any contact with the victim, her family members and other prosecution witnesses in any manner till completion of trial.
5. Applicant shall not hamper or tamper and pressurise and/or give threats to the victim, her family

members and other prosecution witnesses and/or prosecution evidence in any manner.

6. Applicant shall attend each and every date of the trial unless exempted by the trial Court and shall not protract the trial due to his absence in any manner.

7. Applicant shall furnish all details of his residential address while submitting surety and shall also inform any change in their residential addresses immediately to the Court.

8. Applicant shall not commit similar type of offence or any cognizable offence while on bail.

9. Applicant shall not leave the country till completion of trial without permission of the Court.

10. The prosecution is at liberty to apply for cancellation of bail in event of breach of any condition as mentioned above by the applicant.

11. Surety to submit before this court being trial Court.

(Dictated and pronounced in open court today.)

Kelapur.
Date: 12/12/2025

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