

MHTH230018072026  <u>Cri.Bail Appln./937/2026</u>	ORDER IN CRI. BAIL APPLICATION NO.937/2026 Mr. Walid Farid Shaikh.Applicant. Vs. State of Maharashtra, (Virar Police Station).Respondent.
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ORDER BELOW EXHIBIT 01

(Date: 03/08/2026)

This is an application for Regular bail u/s.483 of BNSS, 2023 filed by accused/applicant **Walid Farid Shaikh** for releasing him in C.R. No. 343/2026 of Virar Police Station for the offences punishable under Sections 74, 75, 79 of BNS, 2023 and Sec.8, 12 of POCSO Act, 2012.

2] **The prosecution case in brief is as under :-**

Thereafter, victim went to Virar Police Station and lodged report against accused that on 30/05/2026 at about 11:00pm when victim had gone to bring milk from dairy, applicant accused touched her buttock by hand oftenly with sexual intents without her consent. The applicant/accused further alleged that on next day when the victim was going to bring break-fast, the co-accused who are the relative of applicant/accused were torturing her by saying bad words and thereby outraging her modesty and causing her fear, humiliation and mental trauma. Therefore, report came to be lodged against the accused for necessary action.

3] It is submitted on behalf of applicant/accused that he is innocent and has not committed any offence as alleged by the victim. There is no evidence against accused on record. The

allegations are labeled against him as filmy story. Thus, there is no prima facie case against accused. He is in judicial custody since last more than one and half months. Now, investigation is almost complete. Nothing is to be recovered from his possession. He is not having criminal antecedents. Hence, no purpose would be served by detaining accused in judicial custody. Therefore, he prayed to be released on bail.

4] I.O. has filed his say below Exh.4 and strongly opposed the application. It is submitted that offence of outraging the modesty has been committed against minor victim by accused. Offence is serious in nature. There is prima facie case against present applicant as he has committed offence of outraging the modesty of victim. There is every likelihood of present applicant pressurizing the victim and witnesses, if released on bail. So also, there is every likelihood of present applicant absconding, if released on bail. Hence, I.O. prayed to reject the bail application.

5] Victim appeared before Court and strongly objected the bail application. She submitted that accused had outraged her modesty. He has threatened her. There is likelihood of accused tampering with evidence and pressuring witnesses, if released on bail. She prayed to reject the bail application.

6] Heard Ld. Advocate for accused at length. He prayed to allow the bail application on the grounds as mentioned in Exh.01. Heard Ld. A.P.P. at length. He prayed to reject the bail application on the grounds as mentioned in the say of I.O. as per Exh. 04.

7] It appears from record of the case that the investigation is almost complete. Now, nothing is to be recovered from possession of present applicant. The statement of victim u/s.183 of BNSS, 2023 recorded before Ld. J.M.F.C. It will take considerable time to commence and conclude the trial of the case. The accused is in judicial custody since more than 1 and half month. The present applicant is 24 years old. Hence, no purpose would be served by keeping present applicant behind bar indefinitely. The present applicant is not having any criminal antecedents. Therefore, in view of peculiar facts and circumstances of the case, now further detention of accused is not necessary.

8] It is argued on behalf prosecution that the present applicant will tamper with evidence and he will abscond if released on bail and will pressurize the victim and witnesses and there will be repetition of crime, if present applicant is released on bail, can be taken care of by imposing stringent conditions. Hence, having regard to the facts and circumstances of the case, it would be proper to release the present applicant on bail with stringent conditions imposed. Hence, I proceed to pass the following order.

ORDER

1]	Application is allowed.
2]	In C.R. No. 343/2026 of Virar Police Station for the offences punishable under Sections 74, 75, 79 of BNS, 2023 and Sec.8, 12 of POCSO Act, 2012, applicant/accused Walid Farid Shaikh be released on bail upon his executing P. R. Bond of Rs.50,000/- (Rs. Fifty Thousand

	only) with one surety in the like amount on following conditions; i) he shall attend the concerned police station in between 11:00am to 01:00pm on every Tuesday till filing of the Charge-sheet and as and when called by the I.O. under written intimation. ii) he shall not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any Police Officer. iii) he shall not tamper with the evidence of prosecution in any manner. iv) he shall not make contact in any manner with the informant and witnesses. v) he shall furnish his current address proof and mobile phone number while furnishing surety. vi) he shall not enter in the vicinity of the house of victim till conclusion of trial. vii) he shall inform his change address to the concerned police station and to this Court while furnishing surety. viii) he shall not enter the Entire Virar Area till further order.
3]	The prosecution/victim will be at liberty to file an application for cancellation of bail, in case, the accused violates any of the above mentioned conditions.
4]	Inform concerned police station accordingly.
5]	Accused be informed about this order by e-mail through Superintendent, District Prison, Thane.
	(Order is dictated and pronounced in open Court).

Vasai.

Date : 03/08/2026.

(A. H. Kashikar)

Addl. Sessions Judge, Vasai.