



Special Case No. 894/2025
(CNR No. : MHPU01-010274-2025)

State of Maharashtra
Vs.
Mangesh Borate

ORDER BELOW EXH. 4

1. This is second bail application filed by the applicant/accused **Mangesh Kundalik Borate** under Section 483 of the Bharatiya Nagarik Suraksha Sanhita (BNSS), 2023 in connection with Crime No. **249/2025**, registered with Police Station, Chandannagar, Pune for the offence punishable under Section 79 of the Bharatiya Nyaya Sanhita, 2023 (In short referred to as “*BNS*”) and Section 12 of the Protection of Children from Sexual Offences Act (In short referred to as “*POCSO Act*”).
2. The prosecution has filed say and opposed this bail application. The complainant filed her say on record and given no objection to release the accused on bail.
3. Heard learned advocate for the applicant/accused and Spl.PP for the State. Perused application, say filed by the Prosecution and police papers.
4. It is argued by the learned advocate for the applicant/accused that, investigation is completed, charge sheet is filed. Accused had not made any statement with wrong intention. Now accused is suspended and transferred to another school. Therefore, there is no possibility of tampering and pressurizing to the victim. He is ready to abide terms and conditions of the Court and prayed for grant of bail.

5. The learned Spl.PP strongly opposed this application and submitted that, offence is serious. Victim is student of 8th standard. Accused is teacher. Therefore, considering serious nature of offence, accused should not be released on bail.

6. On perusal of record it seems that, accused is in jail since 04/07/2025. Investigation is completed, charge-sheet is filed. The complainant has filed say on record and she has no objection to release the accused on bail. There is huge pendency of cases in this Court. Trial will take its own time. No purpose will be served by keeping the accused behind bar. Considering the fact that, accused is ready to abide the terms and conditions of the Court, I am of the view that, accused should be released on bail by imposing certain stringent conditions. Accordingly, I pass the following order.

ORDER

1. The application (Exh.4) is allowed.
2. The applicant/accused **Mangesh Kundalik Borate** shall be released on regular bail upon furnishing PB & SB in the sum of **Rs.50,000/-** with surety in the like amount, on following conditions :
 - [i] The applicant shall not tamper with the prosecution evidence in any manner. He shall not pressurize the victim/informant and family members and witnesses and shall not indulge in any offence.
 - [ii] The applicant shall not contact with the victim and her family members, in any manner.

- [iii] The applicant shall submit his address proof and phone details as well as phone details of two close relatives to Investigating Officer.
 - [iv] The applicant shall not leave Maharashtra without prior permission of the Investigating Officer.
 - [v] Violation of any of the conditions imposed, shall amount the cancellation of bail forthwith.
3. The bail application is accordingly disposed of.

Pune.
Date : 30/08/2025.

[Kavita D. Shirbhate]
Special Judge (under POCSO Act) &
Additional Sessions Judge, Pune

