

**: ORDER BELOW EXH.4 IN SPECIAL CASE NO.4/2026 :**  
**(CNR No. MHRG15-000042-2026)**  
(Passed on 31.01.2026)

1) This is second application seeking a regular bail, made by accused **Mangesh Baburao Javlekar**, concerning the offence punishable under sections 74, 75(1) and (2), 76, 351(2), 126(2) of the Bharatiya Nyaya Sanhita, 2023 and sections 10 and 12 of the Protection of Children From Sexual Offences Act, 2012, in Crime No.138/2025 registered with Shriwardhan police station.

2) It is contended that the previous bail application came to be rejected on 18.12.2025. Now, the investigation has been completed and charge-sheet is presented. Further detention of the accused is not necessary. His family members are dependent upon him. The accused and informant reside at different places. There are no criminal antecedents against him. He is ready to abide by all the conditions. He owns an immovable property. He will not flee from justice. It is submitted to allow the application.

3) Ld. A.P.P. for the State, opposed the application by filing say (Exh.5). It is contended that the offence is serious and committed against a minor girl. There is a *prima facie* evidence of eye-witnesses against the accused. The statements including of the victim show that the accused committed the offence. Considering the gravity of the offence, and that no sufficient reasons have been mentioned in application, the accused is not entitled to be

released on bail. It is submitted to reject the application.

4) The informant-mother of the survivor and father of the survivor appeared and offered no objection to the application by swearing affidavits (Exhs.7 and 8, respectively).

5) Heard both sides and perused the record.

6) Ld. Advocate Mr. V. U. Ghayal for accused, and the Ld. A.P.P. Mr. J. D. Mhatre for the State, iterated the contentions made in the application and say, respectively.

7) Ld. Advocate for accused would submit that though the previous bail application came to be rejected, now the charge-sheet has been presented. The accused is ready to abide by all the conditions, who has been in the custody for about two months.

8) The Ld. A.P.P. would submit that considering the nature of the offence and the possibility of tampering the witnesses, the application is liable to be rejected.

9) It is seen that the previous bail application came to be rejected, observing, among other things, the offence is serious and committed against a girl child; the statement of the survivor is very clear, which shows commission of the offence by the accused; the investigation was incomplete.

10) No doubt, such offences have been increasing rapidly. It is a harsh reality that there are more than 100 Under Trial Prisoners alleged of committing serious crimes have been waiting for hearing in their respective cases in this Court. It is not likely that this matter could be taken expeditiously and decided in near future.

11) The accused has been in the custody for over two months, no criminal antecedents have been pointed out against him. It is not likely that the accused would flee from justice.

12) All other aspects need not be gone into detail at this stage. Considering the presentation of the charge-sheet, period of incarceration of the accused, the accused is entitled to be released on bail on certain conditions. Hence, the following order:-

**: O R D E R :**

- 1) The application is allowed.
- 2) Applicant-accused **Mangesh Baburao Javlekar**, concerning the offence punishable under sections 74, 75(1) and (2), 76, 351(2), 126(2) of the Bharatiya Nyaya Sanhita, 2023 and sections 10 and 12 of the Protection of Children From Sexual Offences Act, 2012, in Crime No.138/2025 registered with Shriwardhan police station, be released on Personal Bond of Rs.50,000/- (Rs. Fifty thousand only), with a surety

in the like amount, on the following conditions:-

- (a) He shall not directly or indirectly make any inducement, threat or promise to any of the witnesses and shall not tamper the prosecution evidence.
- (b) He shall furnish his detail address, contact number, names and addresses of two relatives with their phone numbers.
- (c) He shall not commit any offence.
- (d) He shall not leave India without permission of this Court.

Mangaon.  
Date: 31.01.2026.

(S. T. Bhalerao)  
Special Judge, Mangaon  
Dist. Raigad.