

**: ORDER BELOW EXH.6 IN SPECIAL CASE NO.38/2024 :**  
**(CNR No. MHRG15-000458-2024)**  
(Passed on 18.03.2025)

- 1) The present application is filed by applicant/accused under section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for regular bail.
- 2) The applicant contended that he is permanent resident of Morba-Bhimnagar, Tal. Mangaon, Dist. Raigad. He has not committed any offence.
- 3) He further contended that the informant had lodged report alleging therein that between 04.06.2024 to 05.06.2024 the applicant had taken the minor victim in the closed slaughter house and had sexually assaulted her. On the basis of said report, Crime No.153/2024 is registered against him.
- 4) He further contended that he has not committed any offence. He is arrested on 05.06.2024. The Investigating Officer has completed the investigation and filed charge-sheet against him. Therefore, nothing is to be recovered or discovered at his instance. He prayed that he may be released on regular bail.
- 5) Ld. A.P.P. filed his say at Exh.7. He contended that the offence committed by the applicant is serious in nature. The applicant was knowing that victim is minor aged about 10 years. He was also knowing that the victim belongs to Scheduled Caste. He had taken the victim in the closed slaughter house and

sexually assaulted her. The medical report shows that the victim was sexually assaulted. He further contended that if the applicant is released on regular bail, there are chances that he may pressurize the witnesses and tamper the evidence of prosecution. He prayed that the application be rejected.

6) Notice was issued to informant. The informant filed his say at Exh.8. He contended that the applicant had sexually assaulted his minor daughter. He further contended that if the applicant is released on regular bail, he may again commit similar offence with the victim. He may also pressurize them. He prayed that the application be rejected.

7) Heard Ld. advocates appearing for parties.

8) On perusal of material available on record, it appears that on 05.06.2024 the informant had lodged report contending therein that the applicant had taken him for labour work. Thereafter the informant and applicant went to the in-law's house of informant. The informant took his minor daughter and they alongwith applicant were returning to the house of informant. In between the nephew of informant met them. He had stopped by taking his Aactiva. They asked him what had happened. He told that there is no petrol in the vehicle. Thereafter the applicant gave petrol to him. Thereafter, the applicant told the informant that you come by the vehicle of his nephew and he will drop the victim. The applicant reached his home, but the victim was not dropped by the applicant at his home. Thereafter, he searched the

victim, but the victim was not found. Thereafter, the victim was seen by the witnesses coming from the dilapidated slaughter house. Thereafter, the informant asked the victim. The victim narrated the entire incident to them.

9) The medical evidence of the victim shows that there is hymen tear at 6 O'clock position. The said fact shows that the victim is sexually assaulted. The age of the victim is 10 years. The applicant had sexually assaulted the minor victim aged about 10 years. The offence committed by the applicant, is serious in nature and if the applicant is released on regular bail, there are chances that he may pressurize the witnesses and tamper the evidence of prosecution. Taking into consideration the seriousness of offence and the chances of tampering the evidence of prosecution, in my opinion, the applicant is not entitled to be released on regular bail. Hence, I proceed to pass following order :-

**: ORDER :**

1) The application is rejected.

(Dictated and pronounced in open Court)

Mangaon.  
Date : 18.03.2025.

(H. K. Bhalerao)  
Special Judge, Mangaon  
Dist. Raigad