

SPECIAL CASE NO. 03-2026
CNR No. MHRT010000942026

The State

Prosecution

Versus

Manish Chandrakant Sable

Accused

Order Below Exh. 11
(Dated 16.03.2026)

1. This application has filed by applicant/accused Manish Chandrakant Sable under Section 483 of B.N.S.S. for grant of regular bail in Crime No. 456/2025 of Ratnagiri City police station; for the offences punishable under Sections 64(1), of B.N.S. and 4, 6, 8 of POCSO Act.

2. Perused the application and say. Heard respective counsels.

3. Ld. Counsel for the applicant/accused submitted that there are allegations that the applicant developed intimacy with the minor informant since the month of May 2022. Thereafter, on 01.05.2024 they had quarrel and thereafter they had stopped talking with each other. However, in the month of November 2025 the accused tried to contact her. In spite of refusal of the informant he requested to meet her by saying that he wants to have some final talks with her. Thereafter, he took her at a secluded place and committed forceful sexual intercourse with her.

Thereafter, on 11.12.2025 the informant starting suffering from nausea. On examination she found to be pregnant.

4. He further submitted that even if allegations would be considered, as they are the age of pregnancy doesn't match with the allegations. The allegations are too vague and no specific date or time of the incident has mentioned. There is more than one month's delay in lodging FIR. The applicant and the victim both are young. Even otherwise the investigation has completed and charge-sheet has filed. In this circumstances, there is no need of custody of the applicant for investigation purpose. There is also no question of tampering with the evidence or pressurizing the witnesses.

5. The applicant is in custody since 11.12.2025 i.e. more than three months. In this circumstances, he may be enlarged on bail on appropriate conditions. In support of his argument the Ld. Defence counsel relied on the following case laws.

1. **Imran Iqbal Shaikh Vs. The State of Maharashtra, reported in DLD(Cri)-2023-2423.**
2. **Akash Pratapsin Sattawan Vs. State of Maharashtra, reported in DLD(Cri)-2022-1752.**

6. In para 5 of the above decision Akash Sattawan supra it has observed thus;

“Considered the submissions advanced. The alleged incident took place at 02.30 p.m. on 19th December 2021. The FIR was lodged twenty four hours thereafter. The medical examination report of the prosecutrix/victim indicates that there were no signs suggestive of forceful penetrative sexual intercourse. The medical officer has reserved the opinion pending forensic science laboratory report. The C.A. report has not so far been received”.

7. Ld. Special P.P. submitted that the offence is serious in nature and punishable with life imprisonment with minimum sentence of 20 years. The pregnancy of victim has increased the gravity of the offence. Considering the nature of allegations the delay is probable one and nobody would be consider lodging FIR due to fear of defamation of the family. There is strong prima-facie material against the accused. DNA samples have been sent for analysis. Considering that the applicant and the victim are residing in nearby area. There is strong possibility of tampering with the evidence and pressurizing the witnesses. In these circumstances, the application may be rejected.

8. The victim has filed her say vide Exh. 15 and strongly objected the applicant. She prayed for rejecting the application.

9. In the present case there are serious allegations against the applicant. No doubt, there is some delay in lodging FIR. However, it is quite probable that the informant might have restrained herself from lodging FIR by considering her family status in the society. However, at the same time it is also necessary to consider that now the investigation has completed and charge-sheet has filed.

10. Therefore, now actual purpose of custody of the accused has accomplished. No purpose of prosecution is going to be served by keeping the applicant behind bars any further. Rather it would amount to punishing the accused before conclusion of trial. The age of applicant is just 21 years. Keeping him behind bars till completion of trial might have adverse in impact on his life. Hence, I pass following order.

ORDER

1. The application Exh. 11 is hereby allowed.
2. Applicant-Manish Chandrakant Sable, be enlarged on P.R. bond of Rs.50,000/- (Rupees Fifty Thousand Only) with one or two solvent sureties in the like amount, in connection with Crime No. 456/2025 of Ratnagiri City

police station; for the offences punishable under Sections 64(1), of B.N.S. and 4, 6, 8 of POCSO Act. on following conditions.

- a) He shall not tamper the prosecution evidence.
 - b) He shall not commit any other or further offence.
 - c) He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer.
 - d) He shall remain present on each and every date before the court for facing trial.
 - e) He shall give documentary proof of his identification and permanent residence at the time of his furnishing surety.
 - f) He shall not leave India without previous permission of the Court.
3. Inform the concerned accordingly.

Date :- 16.03.2026

(V. Y. Jadhav)
Judge, Special Court, Ratnagiri.