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**IN THE SPECIAL COURT FOR PROTECTION OF CHILDREN FROM
SEXUAL OFFENCES ACT, 2012 AT FORT, GREATER BOMBAY.**

ORDER BELOW APPLICATION EXHIBIT NO.36

IN

SESSIONS CASE NO.126 OF 2021

[CNR NO.MHCC02-001709-2021]

Mangesh Vishnu Sakat @ Mangya, aged 30 years
R/o. 17, Ground Floor, 50 C, Barodia Street,
Lokhand Market, Karnak Bandar, Dana Bandar,
Chinch Bandar, Mumbai 400 009.

..Applicant/accused

V/s.

The State of Maharashtra,
Wadala Police Station, Mumbai,
C.R.No.215/2020 dated 24/08/2020
(C.C.No.2900776/PW/2020)

..Prosecution.

Appearance :

Ld. Adv. Ms. Nisha Lakaria h/f Adv. Sana Shaikh for applicant/accused.
Ld. SPP Mr. Veena Shelar for the prosecution.

CORAM : H.H. THE ADDL. SESSIONS JUDGE

SONALI BHAVIK RATHOD

**THE DESIGNATED JUDGE UNDER
PROTECTION OF CHILDREN FROM
SEXUAL OFFENCES ACT, 2012.**

COURT ROOM NO.24

DATE : 22ND JULY, 2026.

ORDER

1. This is the application for grant bail filed by applicant/accused in connection with C.R.No.215/2020 dated 24/08/2020 (C.C.No.2900776/PW/2020), registered with Wadala Police Station, Mumbai, for the offences punishable under Section 376(1), 376(2)(m), 354-A(i), 328, 506-II of the Indian Penal Code, 1860.

2. The applicant/accused is seeking bail mainly on the ground of long incarceration. He is behind the bars since last five years. It is alleged that informant is major. She has consensual sexual intercourse with the accused. She was married and a wife of friend of accused. She was knowing the accused since few years prior to the incident. Medical evidence is not showing any kind of recent physical injuries. The informant has concocted the allegations against the applicant/accused. Hence, considering all these circumstances, his further custody is not necessary and he may be released on bail.

3. Ld. SPP and Investigating Officer have resisted the present application by filing Reply (Exh.38) with contentions that if applicant/accused is released on bail, he may tamper with the evidence and influence the witnesses. He is habitual offender. He may abscond if, released on bail. Hence, considering the serious nature of offence, application may be rejected.

4. The victim has also filed her say (Exh.39) and resisted the application with contention that accused is threatening her to marry him. He may be harmed her if, released on bail and hence, he may not be released on bail.

5. Perused the FIR and other material on record alongwith the charge-sheet. Heard Ld. Advocates of both sides. On perusal of record and proceeding at the outset, it is clear that recording of evidence has commenced and examination-in-chief of informant is completed in the month of January, 2026. Since then. for about seven to eight dates, till June, 2026, she remained absent and her cross-examination could not be

conducted. Thereafter, this application is moved by the applicant/ accused. Examination-in-chief of the informant is completed, therefore now, there is no apprehension of influencing her. Despite of that, she can be protected by imposing necessary conditions.

6. Prima facie, there is allegation against the accused that on the day of incident, he called the informant to meet him, offered cold-drink to her and thereafter, committed rape on her at lonely place by taking disadvantage of her dizziness. The alleged incident occurred on 23/08/2020 and the FIR is filed on 24/08/2020 in the morning. It is clear that the report is filed within hours of alleged incident. Therefore, medical evidence and report of FSL are material evidence, but prima facie, medical examination report of informant are not showing any recent injuries to her private part. Similarly, there is no report of FSL to make probable that there was any intoxicating substance consumed by the informant. Moreover, informant and accused were acquainted each other. They had also resided together for substantial period. Considering all these circumstances and the material fact that accused is in the custody for more than five years, he is entitled for bail. The closure of trial henceforth made require some time. There is no ground to keep accused behind bars for indefinite period. It may amount to pretrial conviction. Considering the nature of offence, the presence of applicant/ accused and protection of informant can be secured by imposing necessary conditions. The criminal liability of the accused is the subject matter of trial. For all above reasons, applicant/accused is entitled for bail and application deserves to be allowed with the following order :-

ORDER

1. Application (Exh.36) in Sessions Case No.126/2021, is hereby allowed.

2. Applicant/accused **Mangesh Vishnu Sakat @ Mangya**, arrested in C.R.No.215/2020 dated 24/08/2020 (C.C.No.2900776/PW/2020), be released on furnishing surety and executing Personal Bond of Rs.30,000/- (Rs. Thirty Thousand only), each, u/s.483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), registered with Wadala Police Station, Mumbai, for the offences punishable under Section 376(1), 376(2)(m), 354-A(i), 328, 506-II of the Indian Penal Code, 1860.
3. Applicant/accused shall attend the trial regularly.
4. The applicant/accused shall not contact in any manner and pressurize the victim and the prosecution witnesses.
5. The applicant/accused shall furnish his permanent residential address and temporary address, if any, while executing the Bonds.
6. Applicant/accused shall not leave India without prior permission of the Court during trial.
7. The application is disposed off accordingly.

(Dictated and pronounced in open Court).



Date: 22/07/2026
Mumbai

(SONALI B. RATHOD)
Additional Sessions Judge and
Designated Judge under
Protection of Children from
Sexual Offences Act, 2012, for Gr.Bombay

Dictated on : 22/07/2026
Transcribed on : 22/07/2026
Finalized on : 22/07/2026
Signed on : 22/07/2026

“CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED ORDER.”	
22/07/2026 at about 05.35 p.m.	Vidya Abhijit Mande Stenographer (Grade-I) Court Room No.24, Gr. Mumbai
Name of the Judge (With Court Room No.)	SMT SONALI B. RATHOD, Judge, City Civil Court & Addl. Sessions Judge Court Room No.24, Gr. Mumbai
Date of Pronouncement of ORDER	22/07/2026
ORDER signed by P. O. on	22/07/2026
ORDER uploaded on	22/07/2026 at about 05.35 p.m.