



**IN THE COURT OF SPECIAL JUDGE AT
PANVEL, DISTRICT- RAIGAD**

CRIMINAL BAIL APPLICATION NO.566/2026

Mangesh Madhukar Wankhede --- Applicant

(Kharghar Police Station C. R. No.220/2026)

Vs.

The State of Maharashtra --- Respondent

Corum - M. B. Oza

Date - 08th July 2026

Appearance-

Ld. advocate Mr. Mahadev Sande for applicant.

Ld. Spl. P. P Smt. Thalkar for the State of Maharashtra.

Order Below Exh.1

1. The accused/applicant has filed regular bail application u/s.483 of BNSS in C.R. No.220/2026 registered at Kharghar police station for offence under section 137(2) & 64 of the BNS and under section 4 & 12 of the POCSO Act, 2012. The accused is arrested on 08/06/2026 and presently in MCR.
2. The story of the prosecution is that complainant Ashutosh Dev Pande has daughter by name Janhvi Pande of age of 16 years was undergoing treatment in Parhar Hospital. On 12/03/2026 in the morning 3:45 AM her another daughter Jagruti came

and told complainant that Janhvi is missing. The complainant found Rs.25,000/- to 30,000/- missing. As per complainant Janhvi previously also 3 to 4 times without informing parents had left her house. Thereafter, complainant went to police station and lodged complaint against the accused and FIR No. 220/2026 of offence 137(2) of the BNS. Thereafter, during investigation it was found that this accused had taken Janhvi to his house and had committed sexual assault. The accused came to be arrested and offence under section 64 of the BNS and under section 4 & 12 of the POCSO Act, 2012 was added. The accused is arrested on 08/06/2026 and presently in the MCR.

3. The applicant stated in his application that he is innocent. The applicant stated that false case is filed. The applicant stated that accused was for sufficient period in custody and investigation is almost completed against the accused. The applicant stated that further custody is not required. The accused had stated that he is of 21 years of age has to look after his parents and only earning member. The applicant stated that He does not have previous criminal record. The applicant stated that he will not tamper with the evidence. The applicant stated that he is local and ready to abide by terms and conditions of bail. The applicant stated that his further custody is not required for investigation. The applicant prayed for regular bail.
4. The I.O. filed his say at Exh.5 and stated that the offence is serious. The I.O. stated that if accused is granted regular bail then he will threaten the complainant witnesses and tamper

with the evidence. The I.O. stated that if accused is granted regular bail then he will abscond and also repeat similar offence. The I.O. finally prayed to reject the application.

5. Advocate for the applicant argued that accused is innocent and false complaint is given. The advocate for the applicant argued that accused in jail from many days and investigation against the accused is almost over and his custody is no more required. The advocate for the applicant argued that no recovery or discovery is pending. The advocate further argued that the family of accused is suffering for having no source of income. The advocate further argued that the accused has no criminal record and prayed to allow this bail application. While APP argued that offence is serious. APP further argued that investigation is not over and if bail is granted to the accused then he will tamper with evidence. APP prayed to reject the application.
6. Considered the application say and arguments of the both the sides. As per the case of prosecution the accused has committed offence under section 137(2) & 64 of the BNS and under section 4 & 12 of the POCSO Act, 2012 . The accused is in jail from last many days. The investigation against the accused is almost over. The accused is of the young age of twenty one years. Accused does not have any previous criminal record. The investigation in respect of this accused is almost over. Bail is rule and jail is exception. If the accused is kept in jail with hard criminals then his mind will get affected and can become more criminal. There is no any case of recovery from the accused. In the medical papers the history of patient shows

that victim girl had no sexual intercourse. In this case also there is no evidence of injury on the body of victim. The history of patient given is no sexual intercourse. The accused is local. The accused is not required any more for further investigation. Bail cannot be withheld as punishment. It will take time to commence & conclude the trial therefore it would not be proper to keep applicant behind bars for indefinite period otherwise it will amount to pre-trial conviction. The accused if released with condition that accused should not visit the place of victim and condition of attendance at Police Station twice a week then no prejudice will be caused to the prosecution. If the bail application is not allowed accused will suffer. Applicant can be released on bail by imposing certain conditions. Hence, I pass following order.

ORDER

1. Application is allowed.
2. Applicants Mangesh Madhukar Wankhede be released on furnishing PB & SB of Rs.20,000/- (Rupees Twenty Thousand) with one or two sureties in like amount in crime No.220/2026 registered at Kharghar Police Station, Navi Mumbai for offences punishable u/s.137(2) & 64 of the BNS and u/s.4 & 12 of the POCSO Act, 2012 , if he is not required in any other offence.
3. The applicant shall makes his presence on every Tuesday and Thursday at Kharghar Police Station for six months and put his

signature in the register maintained at Kharghar Police Station. The Police Station is directed to keep such register of noting of date, timing of accused and signature.

4. Applicant shall not, directly & indirectly, make any inducement, threat or promise to any person acquainted with facts & circumstances of case so as to dissuade himself from disclosing such facts to the police & Court.
5. Applicant, in future, shall not commit similar offence.
6. Applicant shall not leave India without previous permission of the Trial Court.
7. Applicant shall furnish his permanent & temporary residential proof, valid e-mail ID and mobile number.
8. Registry is directed to inform applicant about this order by e-mail.

(Application is disposed of accordingly)

Sd/-

Panvel
Date - 08/07/2026

(Mr. M. B. Oza)
Special Judge,
Panvel, Dist.-Raigad