

**IN THE COURT OF JUDICIAL MAGISTRATE (FIRST CLASS),
36TH COURT, MUMBAI CENTRAL, MUMBAI.**

B.A.No. :- 49/BA/2025.

C. R. No. :- 45/2025

Railway Police Station :- Mumbai Central

Punishable under section :- 303 (2) BNS

Name of the Accused :- Mustaq Badare Alam

Date :- 27/01/2025.

ORDER BELOW BAIL APPLICATION

This is an application for bail moved by the accused under section 480 of the B.N.S.S. in connection with C. R. No. 45/2025, registered with Mumbai Central Railway police station, for the offence punishable under section 303 (2) BNS.

2. Read the application. Accordingly say of Ld. Special P. P. and I.O. was called. I. O has filed his say and objected the application on the ground that if the accused released on bail he will abscond and will tamper and hamper the prosecution evidence. Ld. A. P. P. has submitted that say filed by I. O. may be consider.

3. Heard, the Ld. Counsel Shri H. A. Vora. Admittedly, the offence is not punishable with death or imprisonment for life. It is alleged that the accused has committed theft of the Mobile Phone of informant. The Mobile Phone is recovered. So also, there is no material on the record to show that accused is habitual offender.

4. Under the circumstances considering the ground stated in applications, if bail is granted subject to certain conditions no harm or prejudice would cause to the prosecution. Hence, I pass the following order :-

ORDER

1. The Bail application No. 49 of 2025 is allowed and disposed off.
2. Accused Viz. Mustaq Badare Alam be released on bail on his executing P. R. Bond of Rs.15,000/- (Fifteen Thousand) with surety of like amount.
3. Accused shall not tamper with the prosecution evidence and shall not hamper in the investigation and shall not make any inducement to the person acquainted with the facts of the case, so as to dissuade him from disclosing such facts to police or to Court.
4. Accused shall attend the concern police station as and when required.
5. Accused shall co-operate investigation officer.
6. Accused shall submit authenticated copy of his address proof.
7. Accused shall not indulge himself in the same kind of offence here-in-after.
8. Provisional cash bail of Rs. 15,000/- (Fifteen Thousand) is allowed for Four weeks.
9. Office to inform to the accused immediately. Issue letter to the Jail Authority accordingly.

sd/-

(B. K. Gawande)

Judicial Magistrate (First Class),
36th Court, Mumbai Central, Mumbai.

Date :- 27/01/2025.

ASS.