

Sayyad + 01 Vs. State**ORDER BELOW APPLICATION EXH-01****(Date : 04.08.2026)**

After going through the contents in the application and say/remarks filed by the Learned A.P.P. for the State and the material available on record, following points arise for my determination, and I have recorded my findings thereon with reasons thereto, which are as follows :

<u>Sr. No.</u>	<u>P O I N T S</u>	<u>F I N D I N G S</u>
01.	Whether there are sufficient grounds to grant protection by way of regular bail to the applicants-accused in accordance with the provision of Sec. 483 of B.N.S.S. 2023 ?	Yes.
02.	What order ?	The application is allowed.

REASONS :**As to Point Nos.1 and 2 :-**

02. The offence punishable U/Secs. 309(4) and 310(2) of BNS, 2023, is registered against the applicant- accused at Ramtirth Police Station under Crime No.118/2026.

03. It is alleged in the report filed by the complainant

that on 04-06-2023 at midnight four unknown persons robbed him under the fear of knife and snapped two mobile hand set of the complainant having approximate value of Rs. 20,000/- the report under consideration is filed to that effect.

04. The applicants-accused who are arrested in connection of this offence have come with the case that they have not committed any offence. Their names are unnecessarily implicated in offence under consideration. The Ld. Counsel for applicants accused explained entire background of the report under consideration. Relying upon the allegations in report is submitted that it is difficult to rely upon allegations even at this prima facie stage that any such incident as alleged is occurred. If any such incident would have occurred, the report would have filed immediately. The involvement of four persons in incident is shown in report. The complainant with intent to increase the gravity has given supplementary statement to add offence punishable under Section 310(2) though the investigation authority has pointed out the recovery of articles. The articles in questions are not recovered from these applicants-accused. He submitted that the investigation is now over. No prejudice will cause if the applicants accused are released on bail. He submitted that applicants-accused is ready to abide all the conditions.

05. The learned APP for State while resisting the application by way of his remarks/report of investigation authority. He submitted that the offence under consideration is of serious

nature. He prayed for rejection of application.

06. I have gone through the allegations in report on the background of submissions. The delay caused to file report under consideration itself is sufficient to point out that the accusations is based on footing. The report was filed against unknown person. No particulars about personality etc. were given in report. Whether the incident as alleged in report is occurred and there is involvement of these applicants-accused in offence is such factual aspect which needs to be scrutinized to the evidence which is come on record during trial. The material part of the investigation is over. No prejudice will cause to the investigation authority if the applicant accused is released on bail on conditions laid down in final order. In the result, I answer point No.1 in affirmative and proceed to pass following order:-

ORDER

01	Application is allowed.
02.	The applicants-accused- Sayyad Aarfath S/o Sayyad Hussain, Mohammed Matin @ Tandi S/o Mohammad Muzaffar and Shaikh Arbaaz s/o.Shaikh Aziz arrested and detained in offence punishable under Sections 309(4) and 310(2) of BNS, 2023, registered at Ramtirth Police Station under C.R. No.118/2026 be released on furnishing P.R. bond of Rs.50,000/- by each, with one solvent surety in the like amount on compliance of the following conditions.
	(a) Applicants-accused shall not tamper the prosecution evidence and create pressure upon the prosecution witnesses.
	(b) Applicants-accused shall not directly or indirectly make any inducement, threat or promise to any person

		acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any Police Officer.
	(c)	The applicants-accused shall attend the concerned police station on every Monday from 5:00 to 8:00 p.m. till 90 days from their arrest or completion of investigation whichever is earlier.
	(d)	Applicants-accused should not come in contact of complainant or his relatives in any manner either mobile phone or by way of direct meeting.
	(e)	The attendance of the applicants-accused at concerned police station in aforesaid matter shall be treated as custody of applicants-accused with police authority for the purpose of investigation.
	(f)	Non-compliance of any of the condition shall be treated as breach of the condition of bail bond and in that case the prosecution has liberty to move an application for cancellation of bail.
	(g)	Bail before Ld. JMFC, if case is not committed for trial before this Court.
03.		Inform the concern police station accordingly.

(R. V. Huddar)

Date :- 04-08-2026.

Addl. Sessions Judge,
Biloli.

CERTIFICATE

I affirm that the contents of this P.D.F. file Judgment
are same word to word, as per the original Judgment.

Name of the Stenographer : Onkare A. M.
Stenographer Grade-I

Court Name : Court of DJ-1 & ASJ, Biloli

Date : 04-08-2026

Judgment signed by the Presiding Officer on : 04-08-2026

Judgment/Order uploaded on : 04-08-2026