

MHTH150004252026

SESSION CASE NO.33/2026



Lalit Rajkishor Zha

V/S.

STATE

ORDER BELOW EXHIBIT 09

Particulars :-

1. Prayer :- Regular bail.

The Ld. Advocate for applicant and Ld. APP have already argued on 30/04/2026. This case is taken on board today vide application of another accused, whose bail application is also heard.

2. Offence :- C.R.No. 11/2026

Sections 64, 76, 123, 3(5) of BNS.

Section 3(1), 3(2), 3(3) of Maharashtra Prevention & Eradication of Human Sacrifice and Other Inhuman, Evil and Aghori Practices and Black Magic Act, 2013

3. Police Station :- Dahanu.

4. **Grounds in bail application :-**

a. False implication.

b. No prima facie case.

- c. No criminal antecedent.
- d. He is bread earner of his family.
- e. Investigation is complete and chargesheet is filed
- f. Fixed place of residence.
- g. Accused ready to abide by bail conditions.

5. **Say of Prosecution :-** (Exh.11)

- a. Chargesheet is filed since sufficient evidence is obtained against applicant.
- b. Some accused are still absconding.
- c. Applicant is permanent resident at Bihar.
- d. Victim and applicant stay in Mumbai.
- e. Applicant will threaten victim.
- f. He may abscond.

6. **Say of prosecutrix :-** (Exh.12)

- a. Threat to life from applicant.
- b. Accused may abscond.
- c. Accused will repeat the crime.

7. **Argument :-**

Heard rival sides and victim in person.

8. **Decision :-**

Chargesheet is filed against applicant which means that investigation as regards applicant is complete.

The Ld. advocate for applicant has drawn my attention to following portion of victim's statement recorded by Ld. Magistrate under Section 183 BNSS.

"मी माझे कपडे घातले व बाहेर आली व आतमध्ये घडलेल्या घटनेबाबत हुस्ना उर्फ आपा व ललित यांना सांगितले. मी त्यावेळी रडत होते. हुस्ना उर्फ आपा ही मला विचारत होती की, पडलेले पैसे कुठे आहेत. त्यावेळी ललित यानी हुस्ना उर्फ आपा यांना सांगितले की, या मुलीसोबत चुकीचे झाले आहे आणि तुला पैशाचे पडले आहे. ललित, अली व श्रीकांत हे आत सदर महाराजांसोबत विचारणा करण्यासाठी गेले होते."

"त्यानंतर आम्ही डहाणू रेल्वे स्टेशन येथे आलो. ललित यानी मला सांगितले की, तुम्ही रेल्वेतून वडाळा येथे जावा मी त्याला मारपीठ करुन येतो तसेच डहाणू पोलीस स्टेशन येथे तक्रार देवुया."

9. Whether or not applicant shared mens rea with other accused in respect of commission of crime is a matter for trial. Trial may take time to conclude. Presently it appears from victim's statement before Ld. Magistrate that applicant may have actually tried to help her after alleged incident.

10. Applicant has no criminal antecedent. He is shown to be privately employed in Mumbai. There does not appear flight risk. Conditional bail order should suffice.

ORDER

- 1 Application is allowed.
2. Accused shall be released on furnishing PR bond of Rs.30,000/- with one or two sureties in the like amount.
3. Accused shall not threaten victim and witnesses.
4. Accused shall co-operate in trial.
5. Accused shall submit updated contact number and residential address.
- 6 Bench Clerk to inform this order to the concerned.
- 7 Prosecution/victim can seek cancellation of bail if any condition is violated by accused.

Palghar
Date : 11/05/2026.

(A. R. Rahane)
Additional Sessions Judge, Palghar