

MHBI110004952026



Order Below Exh.19 in RCC 78-2026

1. By way of this application accused no.2 prayed that he may be released on bail. It is contended that, he is resident of Satvana Khurd Partur, Dist. Jalna. He is falsely implicated in the case. He is the only earning member of his family. He is under trial since 16.12.2025. Hence, application may be allowed.

2. On this application Ld. APP for the state took strong objection that offences are serious. Accused is facing trial for an offence punishable u/s.304, 3(5) of B.N.S. Hence, she prayed that application may not be allowed.

3. Perusal of record shows that, accused no.1 was released by an order of Hon'ble Sessions Court Beed. Accused no.3 is yet absconding. Accused no.2 take under trial. It appears that, at the time of remand bail application of accused no.2 was rejected for the reasons mentioned in an application. Ld. Advocate for accused submitted that, there is no involvement of accused no.2 in the commission of an offence. Chargesheet shows that, on 23.10.2025 at about 21.00 hrs., informant was proceeding towards one of his relatives, on bike with his wife and two children from Sambhajinagar to Beed. When they reached Nagzari on Shahagad to Georai highway, at about 21.00 hrs. accused no.1 to 3 followed them and obstructed them. Accused

no.1 to 3 forcibly snatched the golden ornament Mangalsutra worth Rs.50,000/- and two ear tops worth Rs.50,100/- and some bentex jewellery from the person of wife of informant. During the investigation the said muddemal was recovered at the instance of accused no.1 from his memorandum panchanama. It is further contended that, accused no.2 allegedly sold gold ornaments to accused no.3 and remaining muddemal of 1.5g.m. Mangalsutra was recovered during panchanama u/s.23 of B.S.A. Hence, at this stage I do not find any merit in the submission of Ld. Advocate for accused that, he has no active role in the commission of a crime. At the time of hearing of matter, conclusion cannot be drawn as such.

4. The very purpose of bail is to secure the presence of accused throughout the trial. Considering the criminal antecedent of the accused, his resident at Partur, Jalna and current resident at Gangapur, Chhatrapati Sambhajnagar makes the possibility of securing his presence throughout the trial very weak. Hence, considering above discussion, I do not find any merit to allow the application, as presence of the accused is necessary throughout the trial. Furthermore, accused no.3 is yet absconding. Hence, the order

Order

Application is rejected.

Georai
Date 10.04.2026

(Shruti H. Patil)
J.M.F.C., Georai.

CERTIFICATE

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

Dictated on :- 10.04.2026
Transcribed on :- 10.04.2026
Checked & Signed on :- 10.04.2026

Sd/-
(P.B.Kusumkar)
Stenographer , Georai.