

ORDER BELOW EXH. 15.

Accused no.1 has filed this application for release him on cash security instead of solvent surety as per order dtd.03.12.2025. He contended that, since arrest he is in jail. His bail application allowed by this court on 03.12.2025. However, till today no one came forwarded to release him. He has resided separate from his family since last 15 years. He has not able to furnish cash security of Rs. 15,000/-. Hence prayed to reduce the same.

3. Ld. A. P. P. backside of the application filed his say and submitted that, application is not justifiable in legal sense. Thus, prayed to reject the same.

4. I have heard counsels for accused and A. P. P at considerable length. It is not disputed that, accused is behind bar since his arrest. His bail application vide Exh.8 is allowed and directed him to furnish P. B. & S. B. of Rs.50,000/-. However, he wrongly presume that, he has directed to furnish cash security. He filed copy of complaint filed by informant against him U/Sec.138 of N. I. Act on record. As per said complaint, therein informant contended that, accused has received alleged cheated amount on pretext of friendly relations.

5. Accused is already released on bail, however, he failed to comply the order. Since passing of an order, no one came forward to release him by furnishing surety as per order. Even no one near relative of accused prayed for the same. It shows that, accused is unable to furnish surety unless he release from jail. Accused prayed to release him on minimum cash security. The purpose of bail is to just

secure the presence of accused. Accused is unable to furnish solvent surety till today. Therefore, this is fit case to relax the condition imposed on accused. No prejudice caused to complainant, if condition relax. Counsel for accused submitted that, accused is ready to furnish surety as per order after his release. Considering prayer of accused and his willingness this court pass following order,

ORDER

1. Application Stands allowed as under.
2. Accused is directed to furnish P. B. of Rs.50,000/- and instead of solvent surety of like amount furnish cash security of Rs.30,000/-.
3. Accused further directed to furnish solvent surety after his release and refund cash security amount.
4. If accused failed to attend two consecutive date of trial, his cash security will be forfeited and credited to State Government.
5. Accused to fulfill other conditions as per order passed below Exh.8.
6. Copy of order be send to accused through E-mail at jail.

(R. P Thore)

J.O.Code MH02897.

Judicial Magistrate First Class,
Ajara.

Place – Ajara.

Date – 02.05.2026.