

Order On Bail Application In RCC No.301/2025 At Exh.5.

State Vs. Dilip & Ors.

(C.N.R.NO.MHLA060026512025)

01. This is a second bail application filed by accused No.2.

02. Perused the application and say of Ld. APP. Perused the chargesheet.

03. The accused averred in the application that he is in MCR from 19.06.2025. He was arrested on 13.06.2025. The chargesheet is submitted. The investigation is completed. There is no purpose to keep the accused behind the bar. Accused No.1 is released on bail. The offences leveled against the accused are tribal by this Court. It is the right of the accused to release him on bail. Nothing has been recovered at the hands of present accused. He is a manager of his family. His whole is dependant upon him. The accused is permanent resident of Omarga, Dist.Dharashiv. He is not habitual offender. He has no criminal antecedent. He is falsely implicated in the crime. If he is released on bail, he will not flee away from justice, he is ready to furnish surety. he will abide all conditions of bail. Hence, requested to release him on bail.

04. Ld. APP contended that the offence is serious. The punishment provided is up to 7 years of imprisonment. The accused has cheated the informant and prepared forged documents. If he is released on bail, there are chances that he would tamper the prosecution evidence. Hence, requested to reject the application.

05. Heard both the sides. Both the sides submitted in oral argument as per the application and the say.

06. There are direct allegations made in the first information report against accused No.2 that he received amount Rs.4,00,000/- from the informant and he handed over allegedly forged documents to the informant. Therefore,

prima facie there is clear involvement of the accused No.2 in the present crime.

07. As per the settled law, the gravity of the offence is a primary consideration in bail applications. So also, the role of the accused and potential impact of their release on the victims, witnesses and the public are the primary considerations for releasing the accused on bail.

08. If the settled law is made applicable to the present case, accused No.2 has allegedly deceived many people. The impact of the offence hits the public interest at large because accused has allegedly prepared forged certificates of schooling and open university degrees. The amount involved in crime is huge, the number of victims in the crime is big. Hence, considering the gravity of the offence, the public interest may get affected if the accused is released on bail.

09. The case of the prosecution is entirely based on documentary evidence. If the accused is released on bail, there are chances of tampering of documentary evidence. The allegedly forged documents such as 10th certificate of Vyankatrao Pandhari Dahiphale, Om Dinkar Kendre, Dyaneshwar Vyankatrao Katkade, Madhav Shivajirao Kundgir, Shivaji Narayan Khandekar, Abhishek Vasantrao Kendre, Krushna Sambhaji Panchal are seized which are allegedly prepared by accused No.2. Thus, in view of above considerations, it is proper to decline the accused of bail. The application is liable to be rejected. In result, I pass the following order;

ORDER

The application is rejected.

Date: 20-08-2025

(Swanandi D. Wadgaonkar)
Judicial Magistrate (F.C.),
(Court No.01), Ahmedpur.