

R.C.C.No.301/2025

State Vs. Dilip & Ors

Exh.8

Order On Bail Application In RCC No.301/2025 At Exh.8.

State Vs. Dilip & Ors.

(C.N.R.NO.MHLA060026512025)

01. This is a second bail application filed by accused No.3.

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

03. The accused averred in the application that no cogent evidence is available against him. He is falsely implicated. The other accused in this crime viz. Nitin Patil has deceived him. The application to that effect has been moved by him before Sub Divisional Police officer, Ahmedpur. The police failed to take cognizance of his application. On the contrary engaged him in this crime. The name of the informant is also mentioned as a victim by the present applicant accused in the application before Sub Divisional Police officer. The punishment provided to the offences leveled against the present accused is less than 7 years imprisonment and the offenses are triable by this Court. There is no direct evidence to show involvement of the present accused in the crime. Hon'ble Session Court has granted to bail to other accused Dilip Paratwag. The accused is the **karta** of his family. If he is detained in jail for uncertain period his family would suffer from starvation. The accused is the resident of Limboti Tq.Loha where he owns immovable property. If he is released on bail he will not pressurize the prosecution witnesses or tamper the evidence. No purpose would be achieved by keeping the accused behind the bar. Hence, requested to release him on bail.

04. Ld. APP contended that the offence is non bailable and 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.3 that he induced the informant to hand over the amount involved in the crime by showing allurements of securing job in Indian Post Office to the informant and others. There is evidence on record which shows prima facie money transactions between the informant and the present accused. Therefore, the prima facie involvement of the present accused in the crime is seen.

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.3 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. The application moved by the present accused before Sub

Divisional Police officer can not be a consideration for deciding bail to the accused.

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. 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.

(Swanandi D. Wadgaonkar)

Date: 09-09-2025

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