

ORDER BELOW BAIL APPLICATION in B. A. No.223/BA/2026 in C.C.

No.920/PW/2026 in C.R. No.480/2026 of Parksite Police Station

Through the application in hand accused has sought for release him on bail. It is contended that he is falsely implicated in the offence. It is further submitted that accused is earning member of their families. There is no likelihood of absconding or tampering with the evidence.

2] The Ld. APP through say resisted the application stating therein that if the accused is released, he would tamper with the evidence and influence the witnesses. Further she submitted that accused will abscond and will not be available for trial, if released on bail. Hence, prayed for rejection of application.

3] Perused the application and say of Ld. APP. Heard the Advocate for accused and the Ld. APP.

4] It is worth here to mention that the investigation is completed and chargesheet has been filed. At the outset, it is in such set of facts and circumstance it can said that the accused is not required for further investigation and keeping him behind the bar would not serve the purpose at all. In catena of judgments our Hon'ble Apex Court has taken the view that once the chargesheet is filed, there is no entity to keep the present accused behind bar considering the nature of offence. Wherein, in the case in hand as per my view there is no requirement for the further custody. Herein, no purpose would be served by keeping the accused behind the bar. Per contra imposing conditions would suffice the purpose. It is the cardinal principle of law that the Bail is a rule and jail is an exception. Therefore, I am of the opinion that in the interest of justice and for fair trial, it would be proper to enlarge the present accused on bail with suitable conditions. Hence, the following order is passed:-

ORDER

- 1) The application is allowed.
- 2) Accused is enlarged on P. R. and S. B. of Rs.15,000/- (Rs. Fifteen Thousand Only) or provisional cash security of Rs.10,000/- (Rs. Ten Thousand Only) for the period of six weeks on the following conditions:-
 - i) To submit I.D. and address proof.

- ii) Not to involve in similar offence.
- iii) To submit details of two blood relatives with their ID address.

3) Copy of Bail order be sent to the accused through the Jail Superintendent.

Date: 10/07/2026

(P. V. Hingne)
Addl. Chief Judicial Magistrate
31st Court, Vikhroli, Mumbai

Pgs/-