

MHPU080008012025



R.C.C. 192/2025

State Vs. Aniket @ Gudya Sanjay  
Metkar and other

(Dighi C.R. No. 109/2025)

Under sections 308(2), 351(4),  
351(2), 3(5) of BNS and section 4(25)  
of Arms Act and Section 37(1)(3) read  
with section 135 of Maharashtra Police  
Act

**ORDER BELOW EXH.11 BAIL APPLICATION FILED BY ACCUSED NO.2  
Mahesh @ Vatya Dilip Kasar**

Read the application and say filed by A.P.P. The present application is filed by accused No.2 Mahesh @ Vatya Dilip Kasar u/s. 480 of the B.N.S.S. Learned advocate for accused Shri. S. M. Khedkar submitted that, this court has ample power to grant bail in alleged offences. He also submitted that the presence of accused can easily secured. He also submitted that if accused will not release on bail then much irreparable loss will be caused to him. Furthermore he submitted that, if this court grant bail subject to condition accused will obey all the conditions. Hence, accused be released on bail.

2) Learned A.P.P Shri. D. R. Shinde has filed his say and submitted that present offence is serious one. It is cognizable and non-bailable offence. He also submitted that if the accused is released on bail he may tamper with the prosecution witnesses. If, the accused is released on bail then the possibility of absconding the accused can not be ruled out. Hence, he requested for rejection of the application.

3) Heard both the sides at length. On perusal of remand papers and charge-sheet, it prima facie appears that the alleged incident was happened on 01/03/2025 and accused was arrested on 20/03/2025. On perusal of remand papers and charge-sheet it also appears that nothing to recover from accused. Considering these facts and circumstances prima

facie I am of the view that there is no recovery is pending against accused. It is to be noted that, in the present matter charge-sheet was already filed. Similarly, charge was also framed against the accused persons. Considering this fact the physical custody of accused at this stage is not necessary.

4) It is also to be noted that the offence for which the accused are booked is cognizable, non bailable, and triable by the Magistrate of the First Class. This court has every power to decide the case for which the accused is booked. It is settled principle of law that if there is jurisdiction to try offence then jurisdiction to consider bail application in those offences is inherent. It is also settled principle of law that bail is rule while jail is an exception. Accused is resident within jurisdiction of this court and his presence can easily be secured. Learned advocate for the accused also submitted that the accused is ready to obey any condition if he released on bail. Considering peculiar facts and circumstances of this case, there is nothing to recover from accused. Hence, the custody of accused is not necessary. Considering this peculiar fact the application of accused bears merit to release him on bail by enforcing some conditions. Hence, considering all these discussion, I am of the view that there is substance in the application filed by the accused. Hence, I proceed to pass following order:-

**:: ORDER ::**

- 1] Accused No. 2 Mahesh @ Vatya Dilip Kasar is released on bail on furnishing P. B. and S.B. of Rs. 15,000/- (Fifteen thousand only).
- 2] He shall regularly attend the court.

Date: 09/02/2026

(L.V. Shrikhande)  
Judicial Magistrate F.C  
Court No.3, Khadki, Pune

## CERTIFICATE

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

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|---|---|---|
| Name of the Stenographer                    | : | S. S. Gupte (Grade- III)                                      |
| Name of the Court                           | : | Shri. L. V. Shrikhande,<br>J.M.F.C. Court No. 3, Khadki, Pune |
| Date  | : | 09.02.2026  |
| Order signed by the Presiding<br>officer on | : | 09.02.2026  |
| Order uploaded on                           | : | 10.02.2026  |