



Order below Exh. 1 in Cri. Bail Application No.70/2026
(Saddam Vs. State).

Heard learned Advocate for the Applicant and learned DGP for the State.

02. Perused the bail application, prosecution say, FIR and remand papers.

Prosecution Case :-

03. The Applicant is arrested in connection with C.R. No.1/2026, registered at Alibag Police Station for offences punishable under Sections 310(2), 311, 127(2), 137(2), 351(3), 131, 61(2) of Bharatiya Nyaya Sanhita, 2023.

04. The prosecution case discloses that during the intervening night of 03/01/2026 – 04/01/2026, 8 to 9 unknown persons forcibly entered the complainant's bungalow, threatened the family with deadly weapons, restrained the minor son, assaulted family members and committed robbery of valuables worth about Rs.18,22,000/-. The offence alleged is grave and serious.

Applicant's Submissions :-

05. The Applicant submits that : i) He is falsely implicated on suspicion. ii) FIR was initially against unknown persons. iii) No recovery is to be effected from him and investigation qua him is complete. iv) He is a substitute driver and sole bread earner. v) He has no previous criminal

antecedents. vi) Charge-sheet is not yet filed. vii) He is in custody on 24-05-2026.

Prosecution Objections :-

06. The prosecution opposes bail on the ground that : i) Identification parade is pending. ii) Other co-accused are absconding. iii) Technical evidence places accused near the spot. iv) There is apprehension of threat to complainant and tampering with witnesses.

Consideration :-

This Court has considered rival submissions.

07. The offence alleged is undoubtedly serious. However, while deciding bail, the Court must balance the gravity of offence with the right to personal liberty.

In the present case, it is noteworthy that :-

(i) The Applicant is in custody for more than one month.

(ii) The prosecution has not pointed out any previous conviction or criminal antecedents against the Applicant.

(iii) The FIR was lodged against unknown persons and the Applicant's specific role is yet to be tested during trial.

(iv) Further detention, in absence of demonstrated necessity of custodial interrogation, may result in prolonged pre-trial incarceration.

08. The apprehensions of the prosecution can be addressed by imposing stringent conditions. Without expressing any opinion on merits, the Applicant deserves to be enlarged on

bail.

ORDER

1. The Bail Application No.70 of 2026 is allowed.
2. The Applicant shall be released on bail in C.R. No.1/2026 on executing PR bond of Rs.30,000/- with one or two sureties of like amount.
3. The Applicant shall attend the concerned Police Station once every week (Sunday between 11.00 a.m. to 1.00 p.m.) for a period of two months or till filing of charge-sheet, whichever is earlier.
4. The Applicant shall not tamper with evidence, shall not contact the complainant or his family, and shall not influence witnesses.
5. The Applicant shall not leave Thane District without prior permission of the Court.
6. In case of breach of any condition, prosecution is at liberty to seek cancellation of bail.
7. Bail before JMFC Court.
8. This order be intimated to the Jail authority.
9. Order accordingly.

Pronounced in open Court.

Alibag,

Date:- 11/06/2026.

(S.D.Bhagat)

Additional Sessions Judge,
Raigad-Alibag.