

: ORDER BELOW EXH.35 IN SESSIONS CASE NO.16/2025 :
(CNR No. MHRG15-000276-2025)
(Passed on 25.08.2025)

1) This is an application seeking release of the accused on cash surety instead of on producing surety for Rs.25,000/-.

2) It is contended that the bail application has been granted. However, the accused is unable to produce a local surety and therefore has been languishing in the jail. It is submitted that the accused may be released on cash surety.

3) Ld. A.P.P. for the State, opposed the application by filing say (Exh.36). It is contended that the reasons mentioned in the application are not just and proper. The prosecution is ready to conduct the matter expeditiously. There is sufficient evidence against the accused. Hence, the application may be rejected.

4) Ld. Advocate Smt. Sanskruti Shinde for applicant-accused, and the Ld. A.P.P. Mr. Y. A. Tendulkar for the State, iterated the contentions made in the application and say, respectively.

5) It is seen that the accused has been granted regular bail on 16.07.2025 vide order on Exh.23. He was directed to furnish P.B. of Rs.25,000/- with a surety. However, thereafter the accused has been in the custody. According to him, he could not

produce a surety.

6) It is seen that the offence is serious including punishable under sections 109, 118(2), 115(2), 189(2), 190, 191 of the Bharatiya Nyaya Sanhita, 2023. It is not likely to conduct the trial expeditiously in near future. The detention of the accused in the custody merely because he could not produce the surety, when bail order has been passed, is not just and proper. The accused can be allowed to furnish cash surety instead of producing the surety, in above mentioned circumstances.

7) All in all, the order dated 16.07.2025 can be modified to the extent of producing cash surety. Hence, the following order:-

: O R D E R :

- 1) The application is allowed.
- 2) Applicant-accused **Suraj Eknath Temghare**, concerning the offence punishable under sections 109, 118(2), 115(2), 189(2), 190, 191 of the B.N.S., in Crime No.114/2024 (Sessions Case No.16/2025) registered with Mhasla police station, is allowed to furnish cash surety of Rs.25,000/-, instead of producing surety for Rs.25,000/-.
- 3) All other conditions mentioned in the order passed below Exh.23 dated 16.07.2025, be applied strictly.

4) Application is allowed to this extent only.

Mangaon.
Date: 25.08.2025.

(S. T. Bhalerao)
Additional Sessions Judge,
Mangaon, Dist. Raigad.