

: ORDER BELOW EXH.3 IN SESSIONS CASE NO.21/2025 :
(CNR No. MHRG15-000323-2025)
(Passed on 30.05.2025)

- 1) The present application is filed by applicant/accused under section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 for regular bail, in respect of Crime No.33/2024, registered with Roha police station for the offence punishable under section 328 of the Indian Penal Code and section 26(2)(i), 26(2)(i)(iv), 27(3)(d), 27(3)(e) and 59 of the Food Safety and Standard Act, 2006.
- 2) The applicant contended that he is permanent resident of Virjoli, Tal. Roha, Dist. Raigad. He has not committed any offence.
- 3) He further contended that the informant who is the police officer had lodged report alleging therein that on 22.02.2024 they received secret information that contraband articles are transported from the tempo. Accordingly, they have stopped the Tempo bearing registration No.MH-06/BG-4504. The driver of said tempo by taking the benefit of darkness, ran away. They took the search of said tempo in which the contraband articles worth Rs.9,680/- was found in said tempo.
- 4) The applicant further contended that the Hon'ble Supreme Court had released him on anticipatory bail. The Investigating Officer has completed the investigation and has filed charge-sheet against him. Therefore, nothing is to be recovered or discovered at his instance. He is ready to furnish surety for his appearance at trial. He

prayed that he may be released on regular bail.

5) Ld. A.P.P. filed his say at Exh.5. He contended that the offence committed by the applicant is serious in nature. He further contended that if the applicant is released on regular bail, there are chances that he may abscond and delay the trial. He prayed that the application be rejected.

6) Heard Ld. advocates appearing for parties.

7) On perusal of material, available on record, it appears that the Hon'ble Supreme Court had released the applicant on anticipatory bail. The investigation of the offence is completed. The charge-sheet is filed against the applicant. The said fact shows that nothing is to be recovered or discovered at the instance of applicant. The applicant is also ready and willing to furnish surety for his appearance at trial. Therefore, taking into consideration the above facts, in my opinion, applicant can be released on regular bail by putting appropriate conditions for his appearance at trial. Hence, I proceed to pass the following order :-

: O R D E R :

- 1) The application is allowed.
- 2) The applicant/accused Roshan Subhash Pair, be released on regular bail in Crime No.33/2024, registered with Roha police station for the offence punishable under section 328 of the Indian Penal Code and section 26(2)(i), 26(2)(i)(iv), 27(3)(d), 27(3)

(e) and 59 of the Food Safety and Standard Act, 2006, on his executing P.B. of Rs.25,000/- (Rs. Twenty five thousand only), with one solvent surety in like amount.

- 3) The applicant shall not pressurize the witnesses or tamper the evidence of prosecution.
- 4) Violation of any condition will entail for cancellation of bail.

(Dictated and pronounced in open Court)

Mangaon.
Date : 30.04.2025.

(H. K. Bhalerao)
Additional Sessions Judge,
Mangaon-Raigad