



: ORDER BELOW EXH.5 IN SESSIONS CASE
NO.72/2023 :
(CNR No. MHRG15-000582-2023)
(Passed on 26.03.2024)

1) The present application is filed by applicant/accused no.2 under section 439 of Code of Criminal Procedure, for releasing him on regular bail, in respect of C.R.No.85/2023, registered at Mahad MIDC police station, for the offence punishable under sections 374 of Indian Penal Code and section 75 & 79 of the Juvenile Justice (Care & Protection of Children) Act, 2015.

2) The applicant contended that he is innocent and has not committed any offence. The Investigating Officer has completed the investigation and filed charge-sheet against him. Therefore, nothing is to be recovered or discovered at his instance. He was released on anticipatory bail by this Court. He is permanent resident of the addresses mentioned in cause title of application. He is ready to give surety for the purpose of appearance at trial. He prayed that, he may be released on regular bail.

3) Ld. A.P.P filed his say at Exh.8. He contended that the offence is serious in nature. There is sufficient material against accused therefore, charge-sheet is filed against him. The accused is resident of Bihar State. He further contended that if the applicant is released on regular bail, there are chances that he

may abscond and delay the trial. There are also chances that the applicant/accused may pressurize the witnesses and tamper the evidence of prosecution. He prayed that the application be rejected.

4) Heard Ld. advocates appearing for parties.

5) On perusal of material, available on record, it appears that this Court vide order dated 08.09.2023 passed in Criminal Misc. Application No.151/2023, had released the present applicant/accused no.2, on anticipatory bail. Now the investigation of offence is completed and charge-sheet is filed against applicant/accused no.2. Therefore, nothing is to be recovered or discovered at the instance of applicant/accused no.2. The applicant/accused no.2 is also ready and willing to furnish surety for his appearance at trial. Therefore, taking into consideration all the above facts, in my opinion, there is no hurdle for releasing the applicant/accused no.2 on regular bail. Hence, I proceed to pass the following order :-

: O R D E R :

- 1) The application at Exh.5 is allowed.
- 2) The applicant/accused no.2 **Vidyabhushan Umesh Singh** be released on regular bail in **C.R.No.85/2023**, registered at Mahad MIDC police station, for the offence punishable

under sections 374 of Indian Penal Code and section 75 & 79 of the Juvenile Justice (Care & Protection of Children) Act 2015, on his executing P.B. of Rs.25,000/- (Rs. Twenty five thousand only), with surety in like amount.

- 3) The applicant/accused no.2 shall not pressurize the witnesses or tamper the evidence of prosecution.
- 4) The applicant/accused no.2 shall attend each date of hearing.
- 5) Violation of any condition will entail for cancellation of bail.

(Dictated and pronounced in open Court)

Mangaon.
Date : 26.03.2024.

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