

: ORDER BELOW EXH.11 IN SESSIONS CASE NO.61/2025 :
(CNR No. MHRG15-000806-2025)
(Passed on 17.03.2026)

1) This is an application seeking a regular bail, made by accused no.5 **Sujal Mahesh Chavan**, concerning the offence punishable under sections 310(2), 311, 309(4), 127(2), 111 of the Bharatiya Nyaya Sanhita, 2023 and sections 4, 25 of the Arms Act), in Crime No.79/2025 (Sessions Case No.61/2025) registered with Pali Police Station.

2) It is contended that the accused is innocent and did not commit any offence. The allegations are unreliable and there is no cogent evidence against the accused. The panchanamas have not been conducted properly. The accused is a resident of above mentioned address. He is sole care giver to his aged mother. He is ready to abide by all the conditions. The charge-sheet has already been presented. Further detention of accused is not necessary. It is submitted to allow the application.

3) The Investigating Officer and the Ld. A.P.P. for the State, opposed the application by filing say (Exh.12). It is contended that the accused has been involved in serious crimes like robbery and dacoity. On his release on bail, the accused would commit serious offences like this. Two accused are yet to be arrested. The investigation in respect of those crimes is being conducted. On release of the accused, the possibility of destroying

evidence, concerning those matters cannot be ruled out. There are two more crimes pending against the accused at two Police Stations. Hence, the application may be rejected.

4) Heard both sides and perused the record. Ld. Advocate Mr. Swaraj More for accused, and the Ld. A.P.P. Mr. J. D. Mhatre for the State, iterated the contentions made in the application and say, respectively.

5) Ld. Advocate for accused would submit that though the applications of co-accused have been rejected on 09.12.2025, much time has lapsed since then. Two other crimes were registered when this accused came to be arrested concerning this crime. The accused has been in the custody from 06.08.2025 and today is 17.03.2026. It is submitted that the matter could not be decided in near future. It is submitted to allow the application on conditions.

6) Ld. Advocate for the accused submitted written arguments (Exh.14) and relied on the citation, thus: **Prabhakar Tewari Vs. State of U.P. & Anr., [2020 Supreme (SC) 75]**. Wherein **the Hon'ble Apex Court**, while deciding Criminal Appeal was pleased to observe that seriousness of the offence and tendency of several criminal cases themselves are not the grounds to reject bail application.

7) Ld. A.P.P. would submit that the offence is serious, including punishable under section 111 of the Bharatiya Nyaya Sanhita, 2023. There are two other crimes pending against him. Bail application of co-accused has been rejected. It is submitted that the accused is not entitled to be released.

8) It is seen that the bail application of the co-accused came to be rejected on 09.12.2025. Section 111 of the Bharatiya Nyaya Sanhita, 2023 (organized crime) is stated having been applied against this accused too.

9) The accused has been in the custody from 06.08.2025, thus, for more than 07 (seven) months. No doubt, there are two other crimes registered against this accused and he was identified in Test Identification Parade. Bail application of co-accused was rejected on 09.12.2025. However, a considerable time has lapsed since then, with no progress in the matter.

10) It is a harsh reality that there are more than 100 Under Trial Prisoners alleged of committing serious crimes have been waiting for hearing in their respective cases in this Court. It is not likely that this matter could be taken expeditiously and decided in near future.

11) Considering the ratio laid down in the cited case (supra), the allegations against the accused, the period of

incarceration, pendency of old matters of Under Trial Prisoners and no possibility of deciding this matter in near future, at this stage, accused can be granted bail.

12) All other aspects need not be gone into detail at this stage. All in all, the accused is entitled to be released on bail on certain conditions. Hence, the following order:-

: ORDER :

- 1) The application is allowed.
- 2) Applicant-accused no.5 **Sujal Mahesh Chavan**, concerning the offence punishable under sections 310(2), 311, 309(4), 127(2), 111 of the Bharatiya Nyaya Sanhita, 2023 and sections 4, 25 of the Arms Act), in Crime No.79/2025 (Sessions Case No.61/2025) registered with Pali Police Station, be released on Personal Bond of Rs.50,000/- (Rs. Fifty thousand only), with a surety in the like amount, on the following conditions:-
 - (a) He shall not directly or indirectly make any inducement, threat or promise to any of the witnesses and shall not tamper the prosecution evidence.
 - (b) He shall furnish his detail address, contact number, names and addresses of two relatives with their phone numbers.

- (c) He shall not commit any offence.
- (d) He shall not leave India without permission of this Court.

Mangaon.
Date: 17.03.2026.

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