

: ORDER BELOW EXH.21 IN SESSIONS CASE NO.61/2025 :
(CNR No. MHRG15-000806-2025)
(Passed on 20.04.2026)

1) This is the second application seeking a regular bail, made by accused no.6 **Malhari Bhanudas 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 co-accused no.5 Sujal Chavan has been granted bail by this Court. This accused has been in the custody for more than 07 months. He is a permanent resident of Bhilavale, Tal. Khalapur, Dist. Raigad. He has falsely been implicated in the crime. Charge-sheet has already been presented. Observations made while deciding bail application of accused no.5 are precisely applicable to this accused. It is submitted that the accused may be permitted to deposit provisional cash in lieu of surety. It is submitted to allow the application.

3) Ld. A.P.P. for the State, opposed the application by filing say (Exh.29). 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. The accused was identified in Test Identification Parade. The accused is habitual offender. Offences have been registered at different Police

Stations against him. If released on bail, accused could pressurize the witnesses. Hence, the application may be rejected.

4) Heard both sides and perused the record. Ld. Advocate Mr. S. M. Dhighe 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 application of this accused had been rejected on 09.12.2025, much time having been lapsed since then. The co-accused has been released on bail as per order dated 17.03.2026. The role of this accused is similar to the role of the co-accused. It is submitted that the matter could not be decided in near future. It is submitted to allow the application on conditions.

6) Ld. A.P.P. would submit that the offence is serious, including punishable under section 111 of the B.N.S. There are other crimes pending against him. There is no change in circumstances to grant this application. The Ld. A.P.P. fairly conceded that the role of the co-accused Sujal Chavan is not graver than this accused. However, it is submitted that considering the nature of offence, the accused is not entitled to be released.

7) It is seen that the bail application of this accused was

rejected on 09.12.2025. However, the co-accused has been granted bail on 17.03.2026. Considering the nature of the offence, the similar role of this accused, length of detention of this accused i.e.06.08.2025, 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. In view of contentions in the bail application, the minimum amount for surety can be allowed.

8) 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:-

: O R D E R :

- 1) The second bail application is allowed on the ground of parity and also on change in circumstances, including long detention.
- 2) Applicant-**accused no.6 Malhari Bhanudas 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.25,000/- (Rs. Twenty five 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) If the accused is unable to produce the Surety, he is given option to deposit cash security of amount of Rs.25,000/-, till the time he arranges production of the surety within 01 month from his release on bail.
- (d) He shall not commit any offence.
- (e) He shall not leave India without permission of this Court.

Mangaon.
Date: 20.04.2026.

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