

MHRG170004462026



IN THE COURT OF ADDITIONAL SESSIONS JUDGE ,
PANVEL-RAIGAD
ORDER BELOW EXH.01 IN CRI. BAIL APPLN. NO.215/2026

1. **Mohammad Shafik Hanif Shah**
Age – 28 years, Occu. Service,
R/at- Room No.17, Building No.05,
Lallu Bhai Compound, Mankhurd,
Mumbai.

2. **Adarsh Hari Singh Darji**
Age – 25 years, Occu. Service,
R/at-Room No.B/131, Building No.21,
Lallu Bhai Compound, Mankhurd,
Mumbai.

...APPLICANTS

Verses.

The State of Maharashtra,
Through Panvel City Police Station.

...RESPONDENT

The learned advocate for applicants : Mr. Devendra Bodare

The learned A.P.P. for State : Mr. A. S. Thakur

(DICTATED AND PRONOUNCED IN OPEN COURT)
ORDER BELOW EXH.1

1. This is an application, by the applicants, who are arrested in Crime No.745/2025 registered with Panvel City Police

Dinesh E. Kothalikar,
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Station, Navi Mumbai for the offenses punishable under Section 309(6), 317(2), 111 read with 3(5) of the Bharatiya Nyaya Sanhita, 2023, for grant of bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

2. Learned Advocate Mr. Devendra Bodare for the applicants has submitted that applicants have been falsely implicated in this case. According to him, investigation in the crime is completed and that report under Section 193 of the BNSS has also been submitted. Therefore, according to Mr. Bodare there is no propriety to detain the applicants in custody.
3. So far as the role attributed to the applicants is concerned, according to Mr. Bodare there are no allegations against applicant No.2 in respect of committing the offence of snatching, but there are allegations against him that he possessed the stolen article and that he had tried to dispose of the same. Thus, he has prayed for grant of bail.
4. Per contra, Ld. A.P.P. Mr. A. S. Thakur for the State has submitted that applicants are history-sheeters and similar type of crimes are registered against them. According to Mr. Thakur if the applicants are released on bail in that case they would repeat such type of offence and that it would endanger to properties belonging to the citizens.

Thus, it is prayed for rejection of the application.

5. Upon perusal of the reply filed by the Investigation Officer it is found that report in respect of theft of gold ornaments worth Rs.4,80,000/- has been registered and that during the course of investigation it is revealed that since last more than 10 years the applicants were involved in committing unlawful activities. It has been further claimed that on 01/01/2026 the necklace of gold has been seized at the instance of applicant No.2 Adarsh the ornaments have been seized.
6. According to the Investigation Officer, the applicants are habituated to commit such type of crimes. Along with reply the Investigation Officer has submitted chart showing crimes which were registered against the applicants. Upon perusal of the chart submitted by the Investigation officer, it is found that two crimes are under investigation at Panvel City Police Station against applicant No.1.
7. So far as, applicant No.2 is concerned against whom one crime each is registered at Kharghar Police Station, Panvel City Police Station and Kamthe Police Station and that they are under investigation.
8. Considering the allegations levelled against the applicant that they are involved in unlawful activities in my view if

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the applicants are released on bail certainly property belonged to the public at large would be endanger and therefore in my view if the applicants are released on bail it would hamper the investigation.

9. In my view if such habitual offenders are released on bail, in that case such persons are threat to the society. Therefore, I hold that the applicants are not entitled for the discretion to release them on bail.
10. In the light of the above discussion I hold that the application sans merit is liable to be rejected. Consequently, I proceed to pass following order.

:: ORDER ::

- 1) The application is hereby rejected.
- 2) Inform to concern Police Station and the applicant through Superintendent of Prison.

(Dictated and Pronounced in open Court.)

Place : Panvel.

Date : 23/03/2026

(Dinesh E. Kothalikar)

Additional Sessions Judge, Court No.2,
Panvel Dist. Raigad.

Dinesh E. Kothalikar,
District Judge-2 and ASJ,
Panvel-Raigad.