

ORDER ON BAIL APPLICATION AT EXH.02

The Accused namely **Arman Allauddin Shaikh** has filed this application Under Section 480 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for bail in connection with C.R. No. 790/2024 registered with Tembhurni Police Station for the offences punishable U/s. 118(1), 238, 3(5) of BNS, 2023 and sections 3, 7 and 25 of the Arms Act.

2. It is the contention of the accused that, he has not committed alleged offence. No pending recovery remains. Investigation is completed. Therefore, custody of the present accused is not required. Accused is ready to abide any conditions. Hence, prayed to allow the application.

3. Learned A.P.P. and I.O. resisted the present application by filing their say. Learned APP and I.O. submitted that, alleged offence is serious in nature. Accused may tamper prosecution witness and may commit similar offence if released on bail. Hence, prayed to reject the bail.

4. Perused application, say and charge-sheet. Heard Ld. Advocate for the accused and Ld. APP.

5. On-going through the F.I.R and remand papers it appears that, applicant accused came to be arrested in this crime as on 02/02/2026. He was remanded to PCR and subsequently, since 06/02/2026, he is in MCR.

6. It further appears that, this is the first bail application after filing of charge-sheet which prima facie shows that, investigation is completed. There is no pending recovery remained. Alleged offence punishable under Section 238 of BNS, 2023 is prima facie not seen to be related to the capital offence in the present matter. Therefore, all offences are triable by the Magistrate. Considering this, as charge-sheet is filed and no recovery remains, the application deserves to be allowed. The

apprehension shown by Investigation Officer and the learned A.P.P. will be taken care by imposing suitable conditions. Consideration this, following order is passed :-

ORDER

1. Application is allowed.
2. Accused **Arman Allauddin Shaikh** is released on bail on furnishing personal release bond and surety bond of Rs. 50,000/-.
3. Accused is directed to attend dates of the court regularly unless his personal attendance is exempted.
4. Accused shall not tamper prosecution witnesses in any manner.
5. Accused shall submit his permanent residential address proof and mobile number along with permanent address proof and mobile number of his surety.
6. Accused shall co-operate to investigation officer as and when called by him.
7. Bail order be communicated to the accused in jail accordingly.

Date: 12.03.2026

(Anay D. Kulkarni)
Judicial Magistrate First Class,
(Court No.3), Madha.

<u>CERTIFICATE</u>		
I affirm that, the contents of this P.D.F. file Oder/Judgment is same word to word, as per the original order/judgment.		
Name of Stenographer	:	M.P.Dixit Grade-3
Court Name	:	3 rd Jt. C.J.J.D. & J.M.F.C., Madha.
Order/Judgment signed by the Presiding Officer on	:	12/03/2026
Order/Judgment uploaded on	:	13/03/2026