



State of Maharashtra

Vs.

2. Arjun Nagraj Gosavi

ORDER BELOW EXH.25

By this application, accused is seeking for his enlargement on personal bond.

02. Heard learned Advocate for accused no.2. Heard learned A.P.P. In the reply filed by the State it is contended that the accused no.2 is habitual criminal. The State had expressed that the State is ready to conduct the case in speedy manner since according to State, if released on bail accused no.2 would abscond.

03. Considering submissions made by the State, an order was passed noting the submission made by the learned A.P.P. that he would complete the case by next date. Such order was passed on 20.06.2026. However, till date only two witnesses are examined and learned A.P.P. submitted that he would be examining more witnesses.

04. By order below Exh.12, accused no.2 has been released on bail. However, in the instant application, it is contended that there is nobody else in his family to make compliance and he has old mother. It is also contended that he is the only bread-earner in the family.

05. It is a fact that though by order below Exh.12 bail has been granted to accused no.2, he is unable to make compliance of the bail order. As such, his present application can be considered. Though the State had undertaken to examine all the witnesses, the State has failed to keep its word. It shall be noted that the accused no.2 is in jail from

28.06.2024. Thus, he is in jail for more than 2 years. The Accused is facing charge of the offence punishable under Section 379 and 427 of the Indian Penal Code as well as Section 136 of the Electricity Act. Section 379 of the I.P.C. provides maximum punishment of 3 years. Section 427 of I.P.C. provides maximum punishment for 2 years while Section 136 of Electricity Act provides maximum punishment of 3 years. Thus, when accused no.2 is in jail for more than 2 years, he has almost served more than ½ sentence which is prescribed for the major offences. Therefore, due to reluctance of the State, the prayer of accused no.2 can be considered. As such, I pass following order.

ORDER

1. Instead of immediately furnishing surety as per order below Exh.12, the accused Arjun Nagraj Gosavi shall be released on Personal Bond in the amount mentioned in order below Exh.12 on the same conditions.
2. Accused Arjun Nagraj Gosavi after being released on personal bond shall within a period of 1 month, make compliance of the order passed below Exh.12 by furnishing surety.
3. In the meantime, he shall obey the conditions below Exh.12 and immediately after his release from jail, if not required in any other offence, attend the Court to report his presence before the Court.
4. Copy of this order be sent by e-mail to concerned jail authority.

(Dictated and Pronounced in Open Court)

Satara
Date : 14.07.2026

(N.M.Jamadar)
Special Judge (Electricity Act), Satara.