



CNR No.MHTH01-002547-2025

Order below Exh.10 in Spl. Case MCOC No. 240/2025
State of Maharashtra Vs. Royal @ Roy Edward Sikwera and 4

This application for bail by applicant/accused Lalsingh @ Sitaram Sarjerao More against whom offence vide Cr.No.16/2025, registered at Manickpur police station under section 309(6), 351(2), 317(2), 61(2), 3(5), 111(2kh), 111(3), (4), 238, 13 of Bharatiya Nyaya Sanhita, section 3, 25 of Arms Act, section 37(1)(3), 135 of Maharashtra Police Act, and section 3(1)(ii),3(2),3(4) of Maharashtra Control of Organised Crime Act.

2] Perused application, charge sheet, documents on record and say file by investigating officer. Heard learned advocate for applicant/accused, learned SPP and investigation officer.

3] Learned advocate for applicant submitted that, the applicant is innocent and has not committed any offence and he has been falsely implicated in the offence under the MCOC Act. Nothing is recovered or discovered at the instance of present applicant. There is no iota of evidence regarding conspiracy and agreement between applicant and co-accused. He submitted that,

in first remand report two accused persons have been arrested and the applicant neither named in first remand nor in second remand report he was shown as accused. Even during police custody remand of co-accused for ten days, name of present applicant is not reflected in it. The applicant is from local locality and co-accused Royal is his friend. The applicant has no antecedent, though previous offence was registered against applicant with gang leader, he was discharged from that offence. Except CDR record there is nothing incriminating against the present applicant to show that, he has participated in the present crime. The investigating officer collected bank statement of applicant and inquired with him about the financial gain or pecuniary gain, but nothing has been recovered. The applicant is arrested on suspicion. There is no confession of any of the accused under section 18 of MCOC Act. The present applicant is not the beneficiary of the proceeds of the crime. The investigation in this matter is completed and charge sheet is filed. The applicant is arrested on 26.01.2025 and since then he is in custody. He is ready and willing to furnish surety as per the directions of the Court and ready to abide with the conditions as may be imposed upon him. Hence he prayed for grant of bail to applicant.

4] Per contra, learned SPP for the state submitted that, the offence is serious in nature. The applicant alongwith co-accused hatched conspiracy for commission of offence. The

applicant is previously involved in MCOC offence. He has introduced new members in gang i.e. co-accused Rakshe and Anuj. There were call records between gang leader and present applicant. The applicant had mobile conversation with gang leader Royal and co-accused Anuj prior to incident and on the day of incident. If the applicant is release on bail, there is possibility of threatening of the prosecution witnesses and tamper with the prosecution evidence. The applicant is also likely to commit similar type of offence. Hence he prayed for rejection of application.

5] On perusal of the say and charge sheet alongwith documents on record, apart from the present case, the applicant was involved in the offence with gang leader Royal Sikwera. Considering said fact and material on record there is prima facie case against the accused for application of provisions of MCOC Act. Further on going through the record it is clear from the CDR that, there are calls between the applicant and co-accused Royal Sikwera and Anuj. The applicant alleged to have introduced co-accused Ajun and Rakshe in the gang, who have played active role in the commission of offence. For the above reasons, there is clear evidence on record showing that the applicant was involved in the conspiracy of commission of offence, therefore, his involvement in the present crime is prima facie made out. Considering the nature of offence and the gravity of offence, in my opinion this is not a fit case to grant bail to the

applicant/accused. The application is therefore, deserves to be rejected. Hence the following order.

ORDER

1] Application, Exh.10 for bail is hereby rejected.

Thane.

Date : 20.11.2025

Sd/- .xxx

(Suryakant S. Shinde)

Addl. Sessions Judge, Thane.