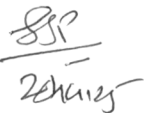


BA NO. 1050/BA/2025
CR NO. 699/2024
U/s. 331(3), 305(A), 3(5), 112 of BNS
KHERWADI PS

ORDER BELOW BAIL APPLICATION OF ACCUSED
No.3 SAMEER KAUSAR SHAIKH @ BADDA

1. Accused No. 3 is arrested in above crime on 18.03.2025 and he is taken in MCR on 21.03.2025. The present application is made on 16-04-25. Accused sought bail on the ground that, he is innocent and falsely implicated in the said crime. Investigation is completed. He is having fixed place of residence and he is not likely to abscond. He is ready to abide by any conditions, if imposed by the court.
2. Say of I.O. and APP was called. Both have filed their say and resisted the application. Hence they prayed for rejection.
3. Perused and read application with say of I.O. and Ld. APP. Heard Ld. Advocate for said accused and Ld. APP.
4. Both I.O. and Ld. APP opposed the application on the ground that, accused committed theft in a dwelling house and prima-facie case is made out against the accused. Investigation is in progress and charge-sheet is not filed. Accused is habitual offender. If accused is released on bail, he may abscond or he may repeat the similar crime.
5. The present accused is arrested by taking custody another offiece from Aadharwadi jail Kalyan. The FIR is against unknow persons. So far no recovery is effected. Having considered the facts of the case, nature of allegations and the seriousness of the offence, custodial interrogation is

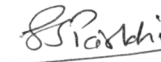

20/04/25

not required. There is no reason to keep accused behind the bars. Liberty of a person is the constitutional right. Bail is a rule and jail is an exception. Therefore, it is just and proper to release said accused on bail. Hence, following order :-

ORDER

- i) The application is allowed.
- ii) Accused No. 3 Sammer be released on bail on his executing PB & SB of Rs.15,000/- or PB and cash bail of Rs.15,000/-.
- iii) Accused No.3 shall not contact the informant or any other prosecution witnesses in any manner.
- iv) Accused No. 3 shall attend concern police station on each Wednesday between 1.00 to 4.00 p.m., till filing of final report.

Date : 21.04.2025


(S.S. Parkhi) *Chairman*
Judicial Magistrate (First Class),
32nd Court, Bandra, Mumbai.

Acc - 1
Cash bail Amount of Rs. 15000/-
Deposited by the Accused vide
Receipt No. 0468712


Head Cashier
ACJM Bandra Court, Mumbai