

MHCC020118162026



IN THE COURT OF SESSIONS FOR GREATER BOMBAY
AT MUMBAI

CRIMINAL BAIL APPLICATION NO. 2206 OF 2026

IN

C.R. NO. 354 OF 2026

Santosh Hanumanta Kumar	]	
Age : 39 years, Occ. : Service,	]	
R/at : Panchsheel Building, Room No.407,	]	
M-01 Jarmin Mill Road,	]	
Matunga, Mumbai-400 019.	]	Applicant/Accused

Versus

The State of Maharashtra	]	
(Through Shahu Nagar Police Stn.)	]	...Respondent/State

Appearance :-

Advocate Mr. Prashant Vare for Applicant-accused.

APP Ms. Jyoti Sawant for Respondent/State.

CORAM : HHJ S.K. UPADHYAY
Additional Sessions Judge,
C.R. No.34.

DATED : 14.08.2026

ORDER

1. This is an application filed by applicant/accused **Santosh Hanumanta Kumar** under Section 483 of the Bharatiya Nyaya Suraksha Sanhita, 2023 for grant of regular bail.

2. The respondent-state objected the application by filing its say at Exh.2.

3. Heard Ld. Adv. Mr. Prashant Vare on behalf of the applicant-accused and learned APP Ms. Jyoti Sawant on behalf of the state at length.

4. It is alleged by informant that on 18.07.2026 at about 8.00 p.m. informant and police constable was on duty alongwith other police staff. At about 12.22 a.m. message was received from Control Room to reach at Dharavi Panchsheel Building. When he reached on the spot, four persons already quarreling with the other police persons. The accused caught hold caller of informant and torn his shirt and used abusive language and pushed the police staff. Hence, the report.

5. As per the report, Crime No. 354 of 2026 is registered against unknown person at Shahu Nagar Police Station for the offences punishable under Sections 132, 352, 351(2), 3(5) of the Bhartiya Nyay Sanhita, 2023 r/w Section 85 of The Maharashtra Prohibition Act.

6. Ld. Counsel for accused vehemently submitted that there is no recovery and discovery at the hands of accused. The accused is permanent

resident of Mumbai. Hence, there is no chance of his fleeing away. Accused was arrested in this crime on 19.07.2026 and since then he is in jail. Further detention of accused is unwarranted. There are no criminal antecedent against the accused. The co-accused is already released on bail by this Court on similar role attributed to the accused. With this, it is prayed to allow the application.

7. Per contra Ld. APP strongly resisted the application on the ground that offence committed by applicant-accused is serious in nature. There is possibility that if accused released on bail he will commit similar type of offence. Hence, considering the act and punishment provided to the offence, it is prayed to reject the application.

8. Having heard submissions of both the sides admittedly the applicant-accused was arrested in this crime on 19.07.2026 and since then he is behind the bars. Nothing is remained to recover or discover from accused. The co-accused is already released on bail on similar set of facts. The trial will take its own time. The applicant is permanent resident of Mumbai and there is no possibility of his absconding. Therefore, his further detention cannot be justified. Although there is criminal antecedent against the applicant-accused, but it cannot be sole ground to reject the bail application. It is settled position of law that bail is rule and jail is exception.

9. Considering the abovesaid fact that all the witnesses are police personals, therefore there is no chance of tampering of witnesses. The alay raised by prosecution can be taken care by imposing stringent conditions.

Hence, applicant accused is entitled for the bail. But considering serious nature of the offence, the cash bail cannot be justified. Hence, the order :-

ORDER

1. Criminal Bail Application No.2206/2026 is allowed.
2. The applicant-accused **Santosh Hanumanta Kumar** be released on bail in Crime No. 354 of 2026 is registered at Shahu Nagar Police Station for the offences punishable under Sections 132, 352, 351(2), 3(5) of the Bhartiya Nyay Sanhita, 2023 r/w Section 85 of The Maharashtra Prohibition Act, on his executing of personal bond of Rs.50,000/- (Rs. Fifty Thousand only) with one or two sureties of like amount.
3. He shall submit verified copy of his Aadhar Card as well as other address proof along with his mobile number.
4. The applicant/accused is further directed to submit a list of at least three blood relatives with their detail residential addresses with documentary proof of showing the correctness of the details produced by him.
5. The applicant/accused is also directed that he and his sureties should submit copies of at least two documents amongst their respective Passport, Pan Card, Bank Passbook, Credit Card with photograph, Ration Card, Adhar Card, Electricity Bill, Landline telephone bill, Voter I.D. Card issued by the Election Commission of India and Property Tax Register while furnishing the bail.
6. The applicant/accused shall not tamper with the prosecution evidence in any manner and shall not indulge in any type of criminal

activity. If it is noticed that she involved in such type of offence the prosecution will be at liberty to move for cancellation for bail.

7. The applicant/accused shall not change the place of residence without prior intimation to the concerned police station.
8. Any observation made in this order is made only for limited purpose of deciding this bail application and it shall not come in the way of trial during the trial.
9. Criminal Bail Application No.2206/2026 is disposed of accordingly.



Date: 14.08.2026

(S.K. UPADHYAY)
Additional Sessions Judge
Gr. Bombay

Directly typed on : 14.08.2026

Signed by HHJ on : 14.08.2026

“CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL
SIGNED JUDGMENT/ORDER.”

UPLOAD DATE AND TIME
14.08.2026 at 5.45 p.m.

NAME OF STENOGRAPHER
Mrs. Prajwala V. Phodkar

Name of the Judge (Court room no.)	S. K. UPADHYAY (Court Room No.34)
Date of Pronouncement of JUDGMENT/ORDER	14.08.2026
JUDGMENT/ORDER signed by P.O. on	14.08.2026
JUDGMENT/ORDER uploaded on	14.08.2026