

MHCC050041922026



**IN THE COURT OF SESSIONS AT DINDOSHI
(BORIVALI DIVISION), GOREGAON, MUMBAI
CRIMINAL BAIL APPLICATION NO.748 OF 2026
IN
C.R.NO.806/2026**

Sagar Naishil Kamble,
Age 32 Years,
s/o Naishil Kamble, Indian Inhabitant,
Occ. Private Work,
R/at 4/110, Dr. Ambedkar Sadan,
S. B. Pawar Marg, Currey Road,
Mumbai – 400 012.

... Applicant/accused

V/s.

**The State of Maharashtra
(Samta Nagar Police Station, Mumbai
C.R.No.806/2026)**

... Respondent

Appearance :

Ld. Advocate Omkar Ramkrishna Dhakal for applicant/accused.
Ld. APP R. C. Savle for the State/respondent.

**CORAM : His Honour Additional Sessions Judge
Shri.Rajendra. V. Lokhande
(Court Room No.02)**

DATE : 14th August, 2026

ORDER

The applicant seeks regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (in short “BNSS”) in C.R. No.806/2026 registered with Samta Nagar Police Station for the

offences punishable under Sections 303(2), 324(5), 3(5) of the Bhartiya Nyaya Sanhita, 2023 (in short "BNS"), section 42 of the Telecommunication Act, 2023 and section 3 of the Prevention of Damage to Public Property Act, 1984.

2. Ld. Advocate for the applicant argued as per application. According to him, the applicant is arrested on the statement of co-accused Swapnil Shelar. The statement of co-accused has no evidentiary value while deciding the bail application. The Investigating Officer has relied upon tower location about the presence of the applicant near the place of incident on 01.04.2026. However, the informant had received an alarm of theft of cable wires on 22.06.2026 at 7.00 pm. Therefore, the tower location of the applicant has no relevance with the theft committed on 22.06.2026. No any recovery of stolen articles is made from the applicant or from any other arrested accused. The applicant has no criminal antecedents. He is an unemployed and he is from labour class. His further detention is not necessary during investigation, when there is no any evidence against the applicant for the alleged offence. Hence, it is prayed to allow the application.

3. Ld. APP Shri. R. C. Savle for the State argued as per say of prosecution. According to him, there is sufficient material against the applicant for alleged offence of theft. The Investigating Officer submitted that the applicant is arrested on the basis of statement of co-accused Swapnil Shelar who was already involved in other offences of theft like in this case. The presence of the applicant is found near place of incident on 01.04.2026. As per CDR record, on 01.04.2026 there was phone conversation between the applicant and other accused. The

investigation is in progress. Main accused namely Azruddin is absconded. If the applicant released on bail, there is possibility of tampering evidence and investigation will hamper.

4. Perused the application, say of the prosecution, investigation papers and the documents of the applicant.

5. The informant being Telephone Manager in Maharashtra Telephone Nigam Ltd. (i.e. MTNL) has alleged in FIR dated 02.07.2026 that the cable network of the MTNL is spread over various localities and cable wires are laid underground. On 22.06.2026 at 7.00 am, an alarm was activated in MTNL office at Pune on account of Fibre Cut. Therefore, he informed about it to Fibre Unit MTNL, Kandivali West who inspected by visiting the spot and found that the four cable wires of 153 meters laid underground are missing from Ashok Nagar, Cross Road no.4, Kandivali(East) till Sai Arman Building, Ashok Nagar, Kandivali. Thus, the FIR is lodged about theft of four cable wires of 153 meters worth Rs.9,00,500/- against unknown person.

6. There is no prima facie evidence against the applicant about his involvement except statement of co-accused, CDR record and the tower location. The applicant has no criminal antecedents. In the facts and circumstances of the case, the applicant can not be detained for indefinite period. The prosecution has apprehension that the applicant will tamper the prosecution witnesses and investigation will hamper. However, its care can be taken by imposing suitable conditions. Thus, the applicant has made out the case for bail. Hence the following order is passed :

ORDER

1. Criminal Bail Application No.748 of 2026 is hereby allowed.
2. Applicant/accused **Sagar Naishil Kamble**, in C. R. No.806 of 2026 registered at Samta Nagar Police Station, is released on bail on executing PR Bond of Rs.25,000/- (Rupees Twenty Five Thousand Only) with one solvent surety of like amount, on following conditions :
 - i) Applicant/accused shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.
 - ii) Applicant/accused shall attend before Investigating Officer in police Station on each Sunday between 11:00 am to 01:00 pm till filing charge-sheet and co-operate in investigation.
 - iii) Applicants/accused shall not leave India without permission of the Court.
3. Applicant/Accused is released on provisional cash surety of Rs.25,000/- for a period of two months.
4. The copy of this Order be sent to the accused through Jail Authority by e-mail Id.
5. Bail before concerned Ld. JMFC.
6. Criminal Bail Application No.748 of 2026 stands disposed of accordingly.

Dictated on computer and pronounced in open Court.

Date : 14.08.2026

(Rajendra V. Lokhande)
Additional Sessions Judge,
City Civil & Sessions Court,
Borivali Division, Dindoshi, Mumbai.

Cri. BA 748/2026

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Order

Date of dictation on Computer : 14.08.2026

Checked & signed by HHJ on : 14.08.2026

CERTIFIED TO BE TRUE AND CORRECT COPY OF THE ORIGINAL SIGNED JUDGMENT/ORDER”	
Date : 14.08.2026 Time : 5.30 p.m. UPLOAD DATE AND TIME	Ms. Rupali A. Monde (Stenographer Grade-I) NAME OF STENOGRAPHER
Name of the Judge (with Court room no.)	HHJ Shri. Rajendra V. Lokhande (Court Room No.2)
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