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| 18.06.2025             | <b><u>CORAM: H. H. THE SPL. JUDGE SHRI. A.V. KHARKAR (CR. NO.48)</u></b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| CRI. B.A.<br>1650/2025 | <p>(Today, Matter is newly assigned to this court)</p> <p>Advocate Mohd. Shine for applicant is present.<br/> SPP Rajkumar Meena for CBI STB is present.<br/> P.O. Mahesh Kshirsagar for CBI STB is present.</p> <p>The accused <b>Vishwajeet Singh Ram Singh Jodon</b> is produced before me at 4.45 p.m. in execution of warrant issued as per the directions of the Hon'ble High Court in Criminal Application No.07/2021.</p> <p>The applicant was remanded to the police custody till the conclusion of the appeal.</p> <p>Heard arguments of both sides.</p> <p style="text-align: center;"><b><u>ORDER PASSED BELOW EXH.01:</u></b></p> <p>The applicant has moved an application for bail U/s. 390 of the Cr. P. C. Say of the prosecution was called. I have heard the advocate for the applicant and the learned SPP for the CBI. The counsel for the applicant has taken the Court through the ruling of the Hon'ble Apex Court in the case of Sudarshan Singh Vazir Vs. State. In this matter, the Hon'ble Apex Court relying on the ruling in the case of State of UP Vs. Poosu &amp; Ors. has held that the object of Section 390 of the Cr. P. C. is that if the order of acquittal is converted into the order of conviction, the accused must be available for undergoing sentence. It is well settled that the order of acquittal further strengthens the presumption of innocence of an accused. Therefore, as a normal rule where an order U/s. 390 of the Cr. P. C. is passed, the accused must be admitted to bail, rather than committing him to the prison. It is well settled that the bail is a rule and the jail is an exception. This rule must be applied while exercising power u/S. 390 of the Cr. P. C. as the position of acquitted accused is on higher pedestal than an accused facing trial.</p> <p>2. Considering the above position of the law and that there is no serious objection that the applicant poses a flight risk, or that he may make himself scarce at the time of hearing the Appeal, I find it appropriate to release him on bail on following conditions. Hence the order :-</p> <p style="text-align: center;"><b><u>ORDER</u></b></p> <p>1. Bail application No. 1650/2025 is hereby allowed.</p> <p>2. The applicant <b>Vishwajeet Singh Ram Singh Jodon</b> is hereby released on bail u/S. 390 of the Cr. P. C. on his furnishing solvent surety and PR bond in the amount of Rs. 50,000/-.</p> |

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| Exh.02 | <p>3. The applicant shall undertake to attend the Hon'ble High Court, Bombay in the Appeal against the acquittal in Criminal Appeal No. 123 Of 2017.</p> <p style="text-align: center;">*****</p> <p><b>Exh.02</b>-Application for release on provisional cash bail. <b>O-Call say of CBI.</b></p> <p>Heard.</p> <p><b>Order:-</b>The applicant has moved an application for his release on provisional cash bail. He be released on provisional cash bail of <b>Rs. 50,000/-</b> for a period of three weeks.</p> <p><u>The office to accept cash security amount after treasury hours.</u></p> <p><u>At the request for counsel for the CBI authenticated copy be supplied to the CBI.</u></p> <p style="text-align: right;"><b>SPL. JUDGE</b></p> |
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