


<p>MHTH230004752026</p>  <p><u>Cri.Bail Appln./225/2026</u></p>	<p style="text-align: center;"><b><u>ORDER IN</u></b> <b><u>CRIMINAL BAIL APPLICATION NO.225/2026</u></b></p> <p>Fatima @ Soni Mohammad Shaikh. .....Accused.</p> <p style="text-align: center;">Vs.</p> <p>State of Maharashtra ( Through Naigaon Police Station). .....Respondent.</p>
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**ORDER BELOW EXHIBIT 01**  
**(Date :26/05/2026)**

This is an application for Regular bail u/s.483 of BNSS, 2023 filed by accused/applicant Fatima @ Soni Mohammad Shaikh in C.R. No.446/2025 of Naigaon Police Station for the offences punishable under Sections –331(4), 305, 326(g), 317(2) r/w. 3(5) of BNS, 2023 for releasing him on bail.

2] The applicant and co-accused are arrested on 02/09/2025. As per FIR, the informant is running the grocery shop. The theft was committed in his shop and his shop was burnt at the time of incident and offence came to be registered against the applicant and other co-accused. Now the investigation is over. The chargesheet is filed. The other accused are already released on bail. Present applicant is innocent. She is falsely implicated. There is no direct evidence against her to link her in the commission of said offence. She has not participated, facilitated or derive any benefit from the said incident. There is no incriminating material found against her during investigation. The golds or the cash is not recovered from her. So, under such circumstances, the claim is made to release her on bail.

3) At Exh.4, the investigating officer has replied the application by strongly objecting the same and it is submitted that in collusion with other accused, this applicant has committed the offence. It is serious offence. Huge amount is involved in the same. If bail is granted, the witnesses may be pressurized and evidence may be tampered.

4) During the course of arguments from the side of applicant, Ld. Advocate submitted that there is no recovery from her. No evidence is collected during investigation to implicate her in the said crime. She has no role in commission of any such offence. Investigating officer has not gathered any evidence against her. Her name is not mentioned in the report. Role is not mentioned specifically, the other accused are released on bail. She is not beneficiary. So, under such circumstances, prayer is made to allow the application.

5) APP submitted that the witnesses have recorded their statements and submitted about the role of this applicant accused and co-accused. The huge amount and gold ornaments are involved in the offence. Those are not recovered. This applicant accused is telling lie. So, under such circumstances, she may tamper the prosecution evidence, if application is allowed.

6) After considering submissions of both sides and considering the nature of the offence and role of present applicant accused, here it is clear that the investigation is completed. The chargesheet is filed. The trial will be concluded in its due course, the

other accused are already released on bail. So, under such circumstances, keeping the accused behind bar for unlimited period is of no use. By inserting certain stringent conditions, the application can be allowed as per following order.

**ORDER**

1.	Application is allowed.
2.	<p>In C.R. No. 446/2025 of Naigaon Police Station for the offences punishable under Sections- 331(4), 305, 326(g), 317 r/w.3(5) of BNS, 2023, applicant/accused <b>Fatima @ Soni Mohammad Shaikh</b> be released on bail upon her executing P. R. Bond of Rs.50,000/- (Rs. Fifty Thousands only) with one surety of the like amount on following conditions;</p> <p>i) She shall attend each and every date fixed by the Court, unless exempted after filing of charge-sheet.</p> <p>ii) She shall not directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against her so as to dissuade her from disclosing such facts to the Court or to any Police Officer.</p> <p>iii) She shall not tamper with the evidence of prosecution in any manner.</p> <p>iv) She shall not make contact in any manner with the informant and witnesses.</p> <p>v) She shall furnish her current address proof and mobile phone number while furnishing surety.</p> <p>vi) She shall surrender her passport if any, to I.O. and shall not leave India, without the prior permission of the concerned Court.</p> <p>vii) She shall not commit such types of offence.</p>
3.	Failure to obey any of the conditions above, would be liable for cancellation of bail granted to applicant.
4.	Bail before the Trial Court.
5.	Inform concerned police station accordingly.

6.	Applicant be informed about this order by e-mail through Superintendent, District Prison, Thane.
	(Order is dictated and pronounced in open Court).

Vasai.

Date : 26/05/2026.

**( P S. Kale)**

Addl. Sessions Judge, Vasai.