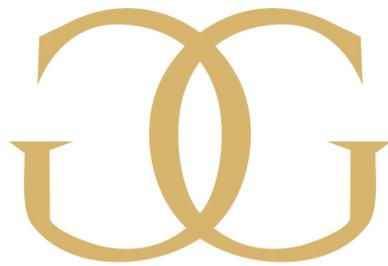


LIST OF CITATIONS ON BAIL

Comprehensive Reference Guide



GG LEGAL ASSOCIATES

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S. No.	Citation	Ratio Decidendi
1	Ambarish Rangshahi Patnigere Vs State of Maharashtra	Bail can be granted even if the offence is punishable with life imprisonment or any other lesser sentence and is triable by magistrate.
2	Sanjay Narhar Malshe Vs State of Maharashtra	Bail can be granted by Magistrate in a sessions triable offence provided offence is not punishable with death or life.
3	Prahlad Singh Bhatti Vs NCT Delhi	A Magistrate cannot grant bail u/s 437 CrPC when the offence is punishable with death or life and is exclusively triable by sessions court unless the case falls under the narrow exceptions in the proviso to sec 437 CrPC.
4	Chowgule & Co Pvt. Ltd Vs Public Prosecutor, State of Goa	Interim protection can be granted in anticipatory bail under section 482, BNSS, 2023.
5	M.C Abraham Vs State of Maharashtra	Court cannot direct arrest; arrest is police discretion.
6	Arjun Kisanrao Magle Vs State of Maharashtra	Presence of the informant shall be obligatory at the time of hearing of bail application.
7	XYZ Vs State of Uttar Pradesh & Anr (SLP (CrI) No. 5027/2024)	Bail was cancelled as the victim was not heard in a POCSO and Atrocity case.
8	Gajanan Gore Vs State of Maharashtra	Bail shall be considered on merits not on mere undertaking given by accused to make payments.
9	Krushna Guruswami Naidu Vs State of Maharashtra	No embargo to file bail application even if accused in police custody.
10	Ash Mohammad Vs Shivraj Singh	Court must not only consider the period of custody but also the nature and gravity of offence and the manner in which it was committed and also the antecedents.
11	State of Karnataka Vs Sri Darshan	Principles of cancellations of bail.
12	Ajay Ajit Peter Kerkar Vs Directorate of Enforcement & Anr	436A CrPC applies in PMLA cases too.

S. No.	Citation	Ratio Decidendi
13	S. Varadarajan Vs State of Madras	If a minor, on her own accord and without inducement or active participation of the accused, leaves her guardian's custody and joins the accused, it does not amount to kidnapping under Section 361 IPC.
14	Bhagirath Singh Judeja Vs State of Gujarat	Bail cannot be denied merely due to seriousness of charge.
15	Harsh Sawhney Vs Union Territory, Chandigarh	Custodial interrogation not warranted for recovery of documents.
16	Himanshu Chandra Vadan Desai Vs State of Gujarat	Bail can be granted even if prima facie offence exist.
17	Ambu Dashrath Pawar Vs State of Maharashtra	Bail in NDPS despite antecedents and variance in seizure panchanama & CA report.
18	Hari Mahadu Valse Vs State of Maharashtra (AIR online 2021 Bom 5683)	Seeds, leaves are not ganja unless accompanied by flowering or fruiting top.
19	Sarija Banu Vs State (Inspector of Police)	Non compliance of section 42 NDPS Act can be considered at bail stage.
20	State of Rajasthan Vs Parmanand & Ors	Compliance of section 50 NDPS Act is mandatory.
21	Shankarlal Bahadur Chetre Vs State of Maharashtra (BA/5253/2024, Bombay High Court)	Bail granted to tout in PITA and POCSO case.
22	Tejas Shelke Vs State of Maharashtra (BA/737/2025, Bombay High Court)	Customer can't be prosecuted under PITA Act. Ergo bail was granted to customer in PITA & POCSO.
23	Satender Kumar Antil Vs CBI	Supreme Court guidelines on bail.
24	Sanjay Chandra Vs CBI	Principles of granting bail in economic offences.
25	Siddharam Satlingappa Mhetre Vs State of Maharashtra	Anticipatory bail principles; protection of liberty.
26	Noushad Vs State of Kerala (2016 (1) KLT 775)	Magistrates and Courts of Session respectively can cancel the bail on breach of condition though bail was granted by High Court.
27	Mahesh Chand Vs State of Rajasthan (AIR 1986 Raj 58)	An accused person released on bail remains in the constructive custody of the Court through his sureties and his liberty is subject to restraint. The Court still retains its inherent power to deal with him.
28	Sunil Fulchandra Shah Vs UOI & Ors.	Constructive custody.
29	Ashok Kumar Vs State of Union Territory, Chandigarh	It is equally true that just because custodial interrogation is not required that by itself may also not be a ground to release an accused on anticipatory bail if the offences are of a serious nature.

S. No.	Citation	Ratio Decidendi
30	Shabbin Ahmad Vs State of U.P.	Granting bail in dowry death cases despite evidence of direct involvement shakes public confidence in judiciary.
31	Vipin Kumar Vs State of U.P.	Even after cancellation of bail by the Supreme Court, an accused has the right to file a fresh bail application, and the High Court must consider it afresh on its merits.
32	Babu Vs State of U.P.	Successive bail application can be filed on count of change of circumstances.
33	Prabhakar Tiwari Vs State of U.P.	Despite of criminal antecedents bail was granted in a murder case.
34	Raosaheb Patole Vs State of Maharashtra	Bail was granted despite of 22 criminal antecedents.
35	Anil Marne Vs State of Maharashtra	Bail was granted despite of criminal antecedents.
36	Sushila Aggarwal Vs State (NCT of Delhi)	Five-judge SC ruling: anticipatory bail continues till trial.
37	Priya Indoriya Vs State of Karnataka & Ors	Transit anticipatory bail can be granted for a limited time.
38	Chandraswami Vs CBI	Normally in 420 cases bail may be granted.
39	Sonadhar Vs State of Chhattisgarh	All persons who have completed 10 years of sentence and appeal is not in proximity of hearing with no extenuating circumstances should be enlarged on bail.
40	Moti Ram Vs State of M.P.	The conditions of bail must be reasonable, fair, and non-discriminatory, ensuring that indigent accused are not unjustly kept in jail simply because they cannot furnish high surety amounts.



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