

3. On perusal of the *prima facie* case and the accusations faced by the applicant in the complaint, the court specifically recorded that the custodial interrogation is not necessary and, in absence of any criminal antecedents, the applicant was released on bail. It was also observed that it is not the case of the prosecution that the applicant is likely to tamper with the prosecution case. It was further recorded that he should not be detained by way of a pre-trial punishment and observing that bail is the rule and jail is an exception, learned Judge deemed it fit to release the applicant on bail.

4. The parameters for cancellation of bail being limited to, either some breach and condition, subject to which the applicant was released on his bail or there is any grave perversity or ignorance of relevant material by the concerned court while releasing the applicant on bail.

5. Learned Judge has specifically considered the three parameters while releasing the applicant, being the nature and gravity of offence, the antecedents of the applicant and the likelihood of the applicant tampering with the prosecution evidence and the flight risk. Expressing his *prima facie* opinion in favour of the applicant, the accused is released on bail.

6. Except submitting that the court has not passed an order

reflecting the actual consideration of the matter, the bail cannot be cancelled. The further submission of the applicant is to the effect that the accused is in custody of certain documents and the applicant is keen and insistent that the said documents be produced in the court. It was ultimately the duty of the Investigating Officer to unearth such documents and, in any case, the prosecution while proving the charges, will deal with the said documents, if at all, they are in possession of the accused.

7. The application is, therefore, dismissed.

[SMT. BHARATI DANGRE, J.]