

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO.3210 OF 2021

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Mr. Navnath Sakharam Gurav ..Applicant

Versus

The State of Maharashtra ..Respondent

Mr. Dinesh P. Adsule a/w Rajeshree S. Rokade, for the Applicant.

Ms. Sharmila S. Kaushik, APP for the Respondent – State.

Mr. N. B. Kavade, PSI, Crime Branch Unit-3, Kalyan – present.

CORAM : NITIN W. SAMBRE, J.

DATE : 16th DECEMBER, 2021

PC.

1. A prayer for bail is opposed by learned APP on the ground that the trial is at such stage, if in case applicant is released on bail, the same is likely to hamper further proceedings as applicant might abscond. It is further submitted that there is sufficient material available against the applicant.

2. From the pleadings on record, it appears that Crime No.184 of 2012 gave rise to MCOCA Case No.1 of 2013 against the applicant in which he is informed to have been acquitted on 18th March, 2020.

3. As consequences of above, he continued to suffer incarceration in Special MCOCA Case No.1 of 2011 which is arising out of Crime No.I-25 of 2010 wherein offence is punishable under Section 307 of IPC.

4. In the present case, applicant has suffered incarceration since 2013 i.e. for last more than nine years.
5. Trial is likely to take some more time to conclude.
6. In that view of the matter, in my opinion, case for bail is made out.
7. Applicant is directed to be released on bail in Crime No.I-25 of 2010 registered with Bazarpeth Police Station, Kalyan, District Thane for the offence punishable under Sections 307, 333, 353, 120(B), 143, 147, 148, 149 of IPC, 37(1), 135 of Bombay Police Act and 3(1), 3(ii), 3(2), 3(4) of MCOC Act on executing P. R. bond of Rs.25,000/- with one or more sureties in the like amount.
8. Applicant shall attend trial regularly failing which the Special Court is at liberty to take out proceedings for cancellation of bail.
9. Applicant shall neither influence the witnesses in any manner nor tamper with the evidence.
10. Applicant if found involved in other similar type of offence after his release, liberty to take out proceedings for cancellation of bail in present case.
11. As such, application stands disposed of.

[NITIN W. SAMBRE, J.]