



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 3287 OF 2023

IN

CRIMINAL APPEAL NO. 643 OF 2014

Kiran Balasaheb Maske ... Applicant

Versus

State of Maharashtra ... Respondent

AND

INTERIM APPLICATION NO. 1618 OF 2019

IN

CRIMINAL APPEAL NO. 1266 OF 2019

Vinod Kiran Maske ... Applicant

Versus

The State of Maharashtra ... Respondent

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Mr. M.V. Thorat alongwith Mr. Amar Bodake for the Applicant in IA-3287-2023 and original Applicant in Appeal No.643-2014.

Mr. Aniket Nikam alongwith Mr. Piyush Toshnival instructed by Mr. Aashish Satpute for the Original Applicant in Appeal No.1266 of 2019 and in Interim Application No.1618 of 2019.

Mr. Abhishek Arote instructed by Mr. Harshad Nimbalkar for the Original Applicant in Appeal No.681 of 2014.

Ms. M.M. Deshmukh, APP for the State.

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CORAM : NITIN W. SAMBRE &
N.R. BORKAR, JJ.

DATED : 4 OCTOBER 2023

P.C. :-

1. Applicant/accused No.1 in Interim Application No.3287 of 2023 and applicant/accused No.3 in Interim Application No.1618 of 2019, were convicted by Judgment and Order dated 25 July 2014 delivered in Sessions Case No. 150 of 2011 by the Additional Sessions Judge, Solapur for an offence punishable under Section 302 read with 34 of the Indian Penal Code.
2. In the aforesaid offence, the applicants were arrested on 14 March 2011 and their prayer for bail was rejected by the learned trial Court and also by this Court.
3. The contentions of the applicants that they are entitled for bail as the final hearing of the appeals may take some more time and the applicants have already undergone incarceration for more than 12 years.
4. The learned APP while opposing the aforesaid bail urged that the Applicants had actively participated in the offence with a common intention.
5. We have perused the order of this Court passed on 25 February 2015, whereby the prayer for grant of bail was rejected.

6. However, having regard to the fact that applicants have already completed the imprisonment of 12 years and as appeals are not likely to be heard in recent future, it will be appropriate to allow the Applications. Hence the order :

(a) Applicant/accused No.1 in Interim Application No.3287 of 2023 and applicant/accused No.3 in Interim Application No.1618 of 2019 be released on bail on their furnishing PR Bond of Rs.25,000/- each with one or two local sureties in the like amount.

(b) Both the applicants shall attend the concerned police station once in a three months till decision of the appeals.

7. The Interim Applications are disposed of.

(N.R. BORKAR, J.)

(NITIN W. SAMBRE, J.)