

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 57 OF 2021**

Vinod Nijappa Gaikwad	...Applicant
Versus	
The State of Maharashtra	...Respondent

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Mr. Nitin Kamble for the Applicant.

Mr. Amit Palkar, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 12 JANUARY 2023

P.C. :-

This is an application under Section 439 of the Code of Criminal Procedure for bail.

2. The applicant came to be arrested in Crime No. 591 of 2017 registered at Dehuroad police station for the offences punishable under Sections 307, 120-B, 324, 143, 147, 148, 149 of the Indian Penal Code and Sections 3(25)(27), 4(25) of the Arms Act and Sections 3(1)(ii), 3(4) of the Maharashtra Control of Organized Crime Act.

3. The learned counsel for the applicant submits that the applicant is in jail for more than five years. It is submitted that the trial is not likely to conclude in near future. Thus, the bail is sought on the ground of prolong incarceration.

4. It appears that at the time of alleged incident the present applicant and other co-accused were armed with pistol, swords and sticks and two

shots were fired towards the complainant, however, fortunately the bullets did not hit him. The applicant is involved in nine more criminal cases. Considering these facts, I am not inclined to release the applicant on bail. However, considering the fact that the applicant is in jail for more than five years, the trial Court shall endeavor to conclude the trial as early as possible. If the trial is not concluded within six months from the date of receipt of copy of this order, the applicant is at liberty to file an application for bail before the trial Court.

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signed by
MANGALTAI
JAYWANT
JADHAV
Date:
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5. Application is disposed of.

(N.R. BORKAR, J.)