

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 845 OF 2022

Sambhaji Ramdas Bhosale ... Applicant

Versus

State of Maharashtra ... Respondent

.....

Mr. Ravindra Pachundkar for the Applicant.
Ms. Veera Shinde, APP for the State.

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CORAM : N.R. BORKAR, J.

DATED : 17 JANUARY 2023

P.C. :-

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

2. The applicant came to be arrested in Crime No. 40 of 2016 registered at Khadak police station for the offences punishable under Sections 395, 120-B of the Indian Penal Code and Sections 3(1)(ii), 3(2), 3(4) of the Maharashtra Control of Organized Crime Act, 1999.

3. I have heard the learned counsel for the applicant and the learned APP for the respondent-State.

4. The bail is sought on the ground of prolong incarceration as

an undertrial. The learned Counsel for the applicant submits that the applicant is in jail for more than 7 years and the trial is not likely to conclude in near future.

5. The learned Counsel for the applicant has placed on record copy of the order dated 19 July 2022 passed by this Court in Bail Application No.186 of 2022. By the said order, this Court has released the co-accused in the present crime on bail by observing that, said co-accused has suffered incarceration for 6 years and still there is no progress in the trial.

6. Considering the above facts and circumstances and as there are no other criminal antecedents, I am inclined to release the applicant on bail. Hence, the following order is passed:

- (i) Application is allowed.
- (ii) The applicant shall be released on bail in Crime No. 40 of 2016 registered at Khadak police station for the offences punishable under Sections 395, 120-B of the Indian Penal Code and Sections 3(1)(ii), 3(2), 3(4) of the Maharashtra Control of Organized Crime Act, 1999 on executing PR bond in the sum of Rs. 2,00,000/- with one or two sureties in the like amount.
- (iii) The applicant shall attend the concerned police station once in a month, that is, on first Saturday between 11.00 a.m. to 2.00 p.m. till conclusion of the trial.

KANCHAN
PRASHANT
DHURI

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by KANCHAN
PRASHANT
DHURI
Date: 2023.03.06
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Kanchan P Dhuri

(N.R. BORKAR, J.)