

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 1148 OF 2023

Sunil Ramdas Suryavanshi
V/s.

...Applicant

State of Maharashtra

...Respondent

Mr. Satyam H. Nimbalkar a/w Mr. Omkar R. Chitale and
Mr. Abhishek Arote for the Applicant.

Mr. A.A. Palkar, APP for the Respondent/State.

CORAM : N.R. BORKAR, J.
DATE : 04.05.2023

P.C. :

1. This is an application under Section 439 of Code of Criminal Procedure for bail.
2. The applicant came to be arrested in Crime No. 530 of 2014 registered at Nigdi Police Station, Pune for the offences punishable under Sections 302, 307, 143, 144, 147, 148, 149 of the Indian Penal Code (IPC) and Section 3(1) read with 25 of the Arms Act.
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 prolonged incarceration as an under-trial prisoner.
5. Learned counsel for the applicant submits that the applicant is in jail for about 8 years and 6 months. It is submitted that this Court vide order dated 10 February 2017 in Criminal Bail Application No. 1984 of 2016 directed the trial Court to conclude

the trial, as expeditiously as possible and preferably within twelve months. It is submitted that inspite of it, the prosecution has examined only few witnesses and therefore, the trial is not likely to conclude in near future.

6. On the other hand, learned APP submits that the trial has commenced and the prosecution has already examined four witnesses. It is submitted that endeavour will be made to complete the examination of the prosecution witnesses within three months.

7. In view of the order passed by this Court, the trial ought to have been over in the year 2018 itself. The applicant is in jail for about 8 years and 6 months and there are no other criminal antecedents. Considering the overall facts and circumstances, I am inclined to release the applicant on bail. In the result, the following order is passed.

ORDER

A] The Application is allowed.

B] The applicant be released on bail in C.R. No. 530 of 2014 registered at Nigdi Police Station, Pune for the offences punishable under Sections 302, 307, 143, 144, 147, 148, 149 of the Indian Penal Code (IPC) and Section 3(1) read with 25 of the Arms Act on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

[N.R.BORKAR, J.]