



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 1898 OF 2023

Datta Navnath Birangal

...Applicant

Versus

State of Maharashtra

...Respondent

.....

Mr. Swaraj Jadhav for the Applicant.

Mr. M. G. Patil, APP for the State.

Mr. Shantanu Phanse for the Complainant.

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CORAM : N.R. BORKAR, J.

DATED : 4 AUGUST 2023

P.C. :-

This Court on 4 January 2023 in Bail Application No. 317 of 2022, which was filed by the applicant for regular bail had passed the following order:

“The learned APP submits that the trial has commenced and the prosecution has examined one witness. Considering these facts, I am not inclined to entertain the present application.

2. The applicant is, however, in jail for more than three and half years. The trial Court shall endeavor to conclude the trial as early as possible. If the trial is not concluded within six months, the applicant is at liberty to move an application for bail before this Court.

3. Application is disposed of.”

2. The learned counsel for the applicant submits that the trial is at the same stage, where it was six months before.

3. The learned APP submits that due to heavy pendency of the cases before the trial Court, further witnesses could not be examined.

4. Be that as it may, the case is based on circumstantial evidence. The applicant is in jail for about four years. Considering the overall facts and circumstances of the case, 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. 547 of 2019 registered at Wakad Police Station, Pimpri-Chinchwad for the offences punishable under Sections 302, 363, 364, 201 read with 34 of the Indian Penal Code on furnishing PR bond in the sum of Rs. 25,000/- with one or two sureties in the like amount.
- (iii) The applicant shall attend the concerned police station once in a month i.e., on first Saturday between 11.00 a.m. to 2.00 p.m. till conclusion of the trial.

(N.R. BORKAR, J.)