



Diksha Rane

28 BA 2318-23.doc

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO.2318/2023

MAHENDRA GORAKH TAGADKAR

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Shailesh Kharat for the applicant.
Ms. Veera Shinde, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : DECEMBER 6, 2023.

P.C. :

1. Heard learned counsel for the applicant.
2. Learned APP for the State submits that though the investigating officer was asked to attend the Public Prosecutors' Office for taking instructions, the investigating officer is not present.
3. This is an application for bail in respect of the offence punishable under Sections 342, 364-A, 395 read with 120-B of the Indian Penal Code (hereafter 'IPC' for short) registered on 24/1/2015 vide C.R. No.I-49/2015 with Pimpri Police Station, Pune.
4. I have perused the earlier orders dated 3/11/2023 and

6/11/2023. The applicant was arrested on 25/1/2025 and now is in custody for more than eight years and ten months. Though the trial has commenced, in the order dated 6/11/2023 it has been recorded that the learned District Judge who was dealing with the matter has retired, and the matter is to be allotted to any other Judge.

5. There is now no question of tampering with the witnesses. According to learned counsel for the applicant, as per his instructions, there is no criminal antecedent reported against the applicant.

6. The applicant is in custody for more than eight years and ten months. The applicant does not appear to be a flight risk. In the facts and circumstances of the present case, considering long incarceration of the applicant with nothing on record to indicate that the trial is being protracted at the instance of the applicant, the applicant can be enlarged on bail by imposing conditions. Hence, the following order :-

ORDER

(a) The application is allowed.

(b) The applicant- Mahendra Gorakh Tagadkar in connection with C.R. No.I-49/2015 registered with Pimpri Police Station, Pune, shall be released on bail on his furnishing P.R. Bond of Rs.25,000/- with one or more sureties in the like amount.

(c) The applicant is permitted to furnish cash bail surety in the sum of Rs. 25,000/- for a period of 6 weeks in lieu of surety.

(d) The applicant shall attend the Investigating Officer of Pimpri police station, Pune, once in a fortnight, on first and third Sunday of every Month, between 11.00 a.m. and 1.00 p.m. till the trial concludes.

(e) The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence.

(f) On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer and shall keep him updated, in case there is any change.

(g) The applicant shall not leave the State of Maharashtra without prior permission of the trial Court.

(h) The applicant shall attend the trial regularly. The applicant shall co-operate with the trial Court and shall not seek unnecessary adjournments.

(i) The applicant shall surrender his passport, if any, to the investigating officer.

7. The application is disposed of.

(M. S. KARNIK, J.)