

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 2387 OF 2023

Shekhar Bajrang Shinde ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr. Nitin Gaware Patil i/b Anandmaya Dhorde for the Applicant.

Mr. S. V. Gavand, APP for the State.

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CORAM : N.R. BORKAR, J.
DATED : 25 OCTOBER 2023

P.C. :-

This is an application filed under Section 439 of the Code of Criminal Procedure, 1973 for bail.

2. The applicant came to be arrested in Crime No. 200 of 2015 registered at Wadgaon-Maval Police Station, Pune Rural for the offences punishable under Sections 302, 120-B, 143, 147, 149 of the Indian Penal Code, Section 3(25)(27) of the Arms Act and Section 135 of the Bombay Police Act.

3. The bail is sought on the ground of prolong incarceration as an under-trial prisoner.

4. The learned counsel for the applicant submits that the applicant is in jail for more than eight years. It is submitted that though this Court by order dated 5 January 2023 in Bail Application No. 274 of 2020 filed by the present applicant directed the trial Court to conclude the trial as early as possible still the trial has not commenced.

5. The learned APP submits that the applicant is involved in serious offence of murder. It is submitted that considering the nature of offence, the applicant may not be released on bail.

6. Considering the fact that the applicant is in jail for more than eight years and as the trial has not yet commenced, 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. 200 of 2015 registered at Wadgaon-Maval Police Station, Pune Rural for the offences punishable under Sections 302, 120-B, 143, 147, 149 of

the Indian Penal Code, Section 3(25)(27) of the Arms Act and Section 135 of the Bombay Police Act 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.)