

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

**BAIL APPLICATION NO. 3049 OF 2022
(THROUGH JAIL)**

Lawrence Nazreth Sirvel ..Applicant

VS.

The State of Maharashtra ..Respondent

Adv. Omkar Nagwekar for the Applicant.

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

PSI H.K. Jadhav, Wada Police Station, Palghar

CORAM : M. S. KARNIK, J.

DATE : MARCH 3, 2023

P.C. :

1. Heard learned counsel for the applicant and learned APP for the State.

2. This is an application for bail though jail by the applicant- Lawrence Nazreth Sirvel in connection with C.R. No.II-7 of 2016, registered with Wada Police Station, Palghar, under sections 8(c), 22, 27A and 29 of the Narcotic Drugs and Psychotropic Substances Act, 1985.

3. I had requested Adv. Omkar Nagwekar to appear on behalf of the applicant to assist this Court. My attention is invited by learned counsel for the applicant to the order

dated 05/01/2022 passed by this Court in bail application no. 430 of 2021 in respect of co-accused no. 4 Sachin Atmaram Vartak where this Court had granted him bail on the ground of long incarceration. Despite the trial being expedited earlier, there was no progress in the trial. I am informed that even accused no. 5 has been released on bail. The applicant is the accused no. 2. The applicant was arrested on 24/05/2016 and is now in custody for 6 years and 9 months. For the reasons mentioned in the order dated 05/01/2022 in bail application no. 430 of 2021, on the ground of parity and long incarceration, even the present applicant can be released on bail by imposing the same conditions as in the said case. Hence, the following order.

ORDER

- (a)** Applicant- Lawrence Nazreth Sirvel in connection with C.R. No.II-7 of 2016, registered with Wada Police Station, Palghar, shall be released on bail, on his furnishing P.R. Bond of Rs.1,00,000/- with one or more sureties in the like amount;
- (b)** The applicant shall report Wada Police Station once in a month i.e. on first Saturday between 11.00 am and 01.00 pm till conclusion of trial;
- (c)** The applicant shall not leave India without prior

permission of Special Court;

(d) The applicant shall deposit his passport before Special Court;

(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 as well as to the Trial Court and shall keep them updated, in case there is any change.

4. The application is disposed of.

5. I appreciate the assistance rendered by Adv. Omkar Nagwekar who appeared on behalf of the applicant in these proceedings to assist this Court.

(M. S. KARNIK, J.)