



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

BAIL APPLICATION NO. 3729 OF 2023

VILAS SHANKAR JADHAV ..APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

**WITH
BAIL APPLICATION NO. 3643 OF 2023**

MANGESH MOHAN JADHAV ..APPLICANT
VS.
THE STATE OF MAHARASHTRA ..RESPONDENT

Adv. Vaibhav R. Gaikwad and Adv. Atharva R.B. for the
Applicants.

Ms. Rutuja Ambekar, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : DECEMBER 07, 2023

P.C. :

1. Heard learned counsel for the applicants and learned APP for the State.
2. These are the applications for bail in respect of the offence punishable under Sections 302, 307, 326, 143, 147, 148, 149, 504 and 506 of the Indian Penal Code (hereafter 'IPC' for short) registered on 15/08/2015 vide C.R. No.61 of 2015 with Pusegaon Police Station.

3. The applicant Vilas was arrested on 21/08/2015 and the applicant- Mangesh was arrested on 20/08/2015. I am informed that the trial has commenced and only 2 witnesses have been examined. The prosecution proposes to examine 40 witnesses. The applicants are now in custody for the period of 8 years and 3 months. The trial is not likely to conclude any time soon.

4. Learned APP opposed the application and submitted that the offence is serious. Two people have been killed by the accused who are 13 in all. The applicants Vilas and Mangesh are accused Nos. 6 and 8 respectively. The role alleged to the applicants is that they caught hold of one of the deceased. Learned counsel for the applicant submitted that there is no weapon recovered from them. It is also submitted that they are not the main assailants.

5. Though the applications are opposed by the learned APP contending that there are materials on record against them and the trial has commenced, I am inclined to enlarge the applicants on bail on the ground of long incarceration as the trial is likely to take a long time to conclude. The

applicants do not appear to be a flight risk. Hence, the following order :-

ORDER

- (a) The applications are allowed.
- (b) The applicants- Vilas Shankar Jadhav and Mangesh Mohan Jadhav in connection with C.R. No.61 of 2015 registered with Pusegaon Police Station shall be released on bail on their furnishing P.R. Bond of Rs.25,000/- each with one or more sureties each in the like amount.
- (c) The applicants are permitted to furnish cash bail surety in the sum of Rs. 25,000/- each for a period of 6 weeks in lieu of surety.
- (d) The applicant- Vilas Shankar Jadhav shall attend the Investigating Officer of Pusegaon police station once in a month every first Monday of the month between 11.00 a.m. and 1.00 p.m.
- (e) The applicant- Mangesh Mohan Jadhav shall attend the Investigating Officer of Pusegaon police station once in a month every first Tuesday of the month between 11.00 a.m. and 1.00 p.m.
- (f) The applicants 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 applicants shall not tamper with evidence.

(g) On being released on bail, the applicants shall furnish their contact numbers and residential addresses to the Investigating Officer and shall keep him updated, in case there is any change.

(h) Except for attending the trial and for the purpose of reporting to the Investigating Officer, the applicants shall not enter the area of Taluka Khatav after being released on bail, till the trial concludes.

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

(j) The applicants shall not leave Satara district without permission of the trial Court.

6. The application is disposed of.

(M. S. KARNIK, J.)