



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

922 BAIL APPLICATION NO. 471 OF 2024

SURAJ TUKARAM MAMIDWAR

VERSUS

THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Dhage Vaibhav B.
APP for Respondent/s-State : Mr. S. P. Sonpawale.

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CORAM : S. G. MEHARE, J.

DATE : 13.09.2024

PER COURT :-

1. Heard the learned counsel for the applicant and learned APP for the respondent-State.
2. This is a successive bail application of the applicant in Crime No.154 of 2020, registered with Loha Police Station, District Nanded, for the offences punishable under Sections 363, 364-A, 349, 120-B, 324, 323, 504, 506 read with Section 34 of the IPC and Sections 3(1)(ii) and 3(4) of the MCOC Act.
3. Learned counsel for the applicant seeks bail on the ground that there is inordinate delay in concluding the trial. He submits that many witnesses remained to be examined. Admittedly, the third witness is under cross-examination. Learned counsel for the applicant rely on the case of *Javed*

Gulam Nabi Shaikh Vs. State of Maharashtra and others ; MANU/SC/ 0609/2024, dated 03.07.2024. Relying on this case, he submits that there is no assurance of speedy trial. The applicant is languishing in jail since 2020. Therefore, he deserves bail.

4. While considering the bail application, gravity of the offence and safety of the local people are primary criteria. This is not a case where there is absolutely no progress in the trial. The trial has commenced. The allegations levelled against the accused are serious. In this case, many co-accused are habitual offenders and involved in the similar offences. By the illegal activities of accused in the district of Nanded, they have created terror there. Repeatedly similar crimes are registered in Nanded district. A huge extortion have been done and the law abiding persons and businessmen are exploited or killed. Many accused in that town are professionally extracting the money and if the money is not paid, they are killed. The Hon'ble Supreme Court granted bail in case of Javed (supra) on different facts. The prosecution ensured the speedy trial. Considering the safety of common man in Nanded District, the Court is of the view that he does not deserve bail. The facts of the case of Javed (supra) are different.

5. Hence, the bail application stands dismissed.

(S. G. MEHARE, J.)

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vmk/-