

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

CRIMINAL BAIL APPLICATION NO. 1383 OF 2024

Aniket @ Bunty Narayan Jadhav

...Applicant

Vs.

The State of Maharashtra

...Respondent

Mr. Vivek Salunkhe i/b P. Dubey, for the applicant.

Mr. P. H. Gaikwad, APP for State-Respondent.

CORAM:- ANIL S. KILOR, J.

DATED:- 22nd AUGUST, 2024

PC:-

1) Heard.

2) By this application under Section 439 of the Code of Criminal Procedure the applicant is seeking bail in Crime No.4 of 2021 registered with Bhunj Police Station, for the offences punishable under Sections 302, 307, 364, 120B, 396 and 201 read with Section 34 of the Indian Penal Code, 1860 and Sections 3(1)(i)(ii), 3(2) and 3(4) of Maharashtra Control of Organised Crimes Act, 1999.

3) The learned Counsel for the applicant seeks bail on the ground that the applicant is in jail from last more than three years and five months and till date the only charge is framed. He further submitted that since there is unlikelihood of trial to be concluded in near future,

he prays for grant of bail. He further argued that the DNA of the deceased was not matched and, therefore, on this ground also he prays for grant of bail.

4) On the other hand, the learned APP strongly opposed the application and he points out that the applicant is the gang leader and there are 14 antecedents against the applicant of similar nature. It is argued that there is sufficient evidence including statements of eye-witnesses to support the case of the prosecution. It is further submitted that if the applicant is released on bail, there is every possibility that he may commit similar the offence in future.

5) Having gone through the charge-sheet and material collected by the Investigating Officer during the investigation, it is evident that there is sufficient evidence on record to show the complicity of the applicant in the alleged offence. There are eye-witnesses. Furthermore considering the antecedents it is evident that there are serious offence pending against the applicant who is the gang leader.

6) In the circumstances, it cannot be said that there is a reasonable ground the applicant is not guilty of the alleged offence and further if the applicant is released on bail, there is no possibility that he will not commit the offence.

7) In that view of the matter, the application is rejected and disposed of.

[ANIL S. KILOR, J.]