

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 2156 OF 2024

Somnath Kaluram Shinde ... Applicant.

V/s.

The State of Maharashtra ... Respondent.

Mr Sushan N. Mhatre, Advocate for Applicant

Ms Veera Shinde, APP for the State.

PSI Sanika Bajrang Gatkul, P.S. Kurduwadi.

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CORAM : ANIL S. KILOR, J.

DATED : AUGUST 28, 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.281 of 2021, registered with Police Station, Kurduwadi, District: Solapur Rural for the offences punishable under Sections 395 read with Section 34 of the Indian Penal Code and Section 3(1)(ii), 3(2), 3(4) of the Maharashtra Control of Organised Crime Act, 1999.
3. Having gone through the charge-sheet and the relevant material collected by the Investigating Officer during investigation, it is

evident that initially the informant named two persons and as regards the other persons he referred them as unknown persons. In the identification parade the informant identified the applicant and further there is a recovery of Rupees Ten Thousand from the applicant. There are three witnesses who support the case of the prosecution. Furthermore, there are similar two antecedents against the applicant, though they are not along with the syndicate.

4. In the above referred backdrop, there is no reasonable ground to believe that the applicant is not involved in the alleged offence and further considering that there are antecedents it cannot be said that if the applicant is released on bail he will not commit the similar offence.

In that view of the matter, the application is **rejected**.

5. However, considering the period of incarceration of the applicant, the trial is expedited and liberty is granted to the applicant to apply afresh after nine months before the trial Court, if there is no progress in the trial.
6. The learned counsel for the applicant undertakes to place a copy of this order on the record of the trial Court within two weeks from today.

(ANIL S. KILOR, J)