

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

**INTERIM APPLICATION NO.249 OF 2024
IN
APPEAL NO.1121 OF 2023**

Vikrant @ Vicky Bhalchandra
Jadhav

.. Applicant

v/s.

State Of Maharashtra And
Anr

.. Respondent

Mr. Sachin Deokar for the Applicant.

Mr. J.P. Yagnik, APP for the Respondent No.1- State.

JYOTI
RAJESH
MANE

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CORAM : A. S. GADKARI &

SHYAM C. CHANDAK, JJ.

DATED : 7th FEBRUARY, 2024.

PC. :

1) It is admitted fact on record that the Applicant is in incarceration for more than 10 years and 6 months as of today. The co-accused in the present case are released on bail on the ground of prolonged incarceration vide Order dated 12th January 2024.

2) In view of the present assignment of this Court, the possibility of hearing the substantive Appeal preferred by the Applicant in near future is remote.

3) In view of the Guidelines issued by the Hon'ble Supreme Court in the case of Saudan Singh Vs. The State of Uttar Pradesh in

Criminal Appeal No.308 of 2022 [@ SLP (Cri.)No.4633 of 2021] dated 25th March 2022 and the view expressed in cases of (i) Suleman Vs. The State of Uttar Pradesh, Criminal Appeal No. 491 of 2022 (Arising out of SLP (Crl) No. 1451 of 2022) dated 25th March 2022 and (ii) Dinesh @ Paul Daniel Khajekar Vs. State of Maharashtra & Anr., Criminal Appeal No. 2987 of 2023 (Arising out of S.L.P (Crl.) No. 10320 of 2023) dated 25th September 2023, the Applicant is entitled to be released on bail during the pendency of Appeal.

4) Hence, the following Order.

- (i) Applicant shall be released on bail in C.R. No. 298 of 2013 dated 9th July 2013 registered with Hadapsar Police Station, District Pune, on his furnishing PR. bond of Rs.50,000/- with one or two solvent local sureties in the like amount.
- (ii) After his release from Jail and during the pendency of the present Appeal, the Applicant shall attend Hadapsar Police Station, District Pune on every first Monday of the month between 10:00 am and 12:00 noon initially for a period of one year.

After end of one year, the Applicant shall attend Hadapsar Police Station, District Pune on every first Monday of the every 3rd Month between 10:00 am and 12:00 noon. The Applicant thus shall attend Hadapsar Police Station, District Pune, four times in a year during the pendency of the present Appeal.”

- (iii) In case of two consecutive defaults in complying with the aforestated conditions, the Prosecution is at liberty to file an application for cancellation of bail.
 - (iv) Applicant shall inform his prospective residential address to the trial Court. Applicant shall keep informed the trial Court any change in his residential address and his mobile number, on which he can be contacted.
 - (v) Applicant shall make himself available at the time of final hearing of the Appeal.
- 5) Application is allowed in the aforesaid terms.

(SHYAM C. CHANDAK, J.)

(A. S. GADKARI, J.)