

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO.1689 OF 2024

Vijay @ Gadu Major Bhosale	...Applicant
<i>Versus</i>	
The State of Maharashtra	...Respondent

Mr. Ashraf Ali Akhtar Shaikh (through Video Conference),
Advocate, for the Applicant.
Mr. Prasanna P. Malshe, APP, for the Respondent-State.
Mr. Atul Khandare, P.S.I., Saswad Police Station, Pune, present.

CORAM: MADHAV J. JAMDAR, J.
DATED : 26th APRIL 2024

PC:-

1. Heard Mr. Shaikh, learned Counsel for the Applicant and Mr. Malshe, learned APP for the Respondent-State.
2. Mr. Shaikh, learned Counsel for the Applicant states that the Applicant is incarcerated since 18th October 2015 and therefore, this is a case of prolonged incarceration.
3. On the other hand, Mr. Malshe, learned APP after taking instructions, states that 10 witnesses have been examined and only

one witness i.e. the Investigating Officer will be examined on 6th May 2024 and the trial will be concluded very shortly thereafter.

4. It is to be noted that a learned Single Judge (Mridula Bhatkar, J.) by Order dated 10th February 2017 had rejected the Bail Application preferred by the present Applicant by recording reasons. Therefore, this Court will not be able to consider the Bail Application on merits.

5. However, it is to be noted that there is substance in the contention raised by the learned Counsel for the Applicant that there is prolonged incarceration as the Applicant is incarcerated since 18th October 2015 excluding the period when the Applicant was released on bail during the COVID-19 pandemic. Mr. Malshe, learned APP states that the prosecution is going to examine the last witness on 6th May 2024 and he states that the trial will be concluded very shortly thereafter.

6. In view of these circumstances, although there is prolonged incarceration as the trial has come to fag-end, the learned Trial Court is requested to conclude the trial by pronouncing Judgment

on or before 30th June 2024 as the Applicant is incarcerated for a significant duration.

7. It is clarified that the Applicant is at liberty to file a fresh Bail Application if the trial is not concluded within the said period.

[MADHAV J. JAMDAR, J.]

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