

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

CRIMINAL BAIL APPLICATION NO. 1401 OF 2024

Nitin Machindra Mane

...Applicant

Vs.

The State of Maharashtra

...Respondent

Mr. Vaibhav Kulkarni, a/w. Prathamesh Deshpande, for the Applicant.

Mr. Pandurang H. Gaikwad, APP for the State-Respondent.

CORAM:- ANIL S. KILOR, J.

DATED:- 11th JULY, 2024

PC:-

1) By this application under Section 439 of the Code of Criminal Procedure the Applicant is seeking bail in Crime No.31 of 2017 registered with Jejuri Police Station, Dist. Pune, for the offences punishable under Sections 394, 395 and 397 read with Section 34 of the Indian Penal Code, 1960 and 3(1) (ii), 3(4) of The Maharashtra Control of Organised Crime Act, 1999.

2) The applicant is in jail since last 7 years and till date the charge is not framed, thus it shows that there is no possibility that in near future

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the trial will be concluded. The amount of extortion is Rs.6,000/-. Thus, considering the period of incarceration and the fact that there is no possibility that he will not be available for trial, the application is allowed.

ORDER

- i. Bail Application is allowed and disposed off;
- ii. It is directed that the applicant shall be released on bail in Crime No.31 of 2017 registered with Jejuri Police Station, Dist. Pune, for the offences punishable under Sections 109, 394, 395 and 397 read with Section 34 of the Indian Penal Code, 1960 and 3(1) (ii), 3(4) of The Maharashtra Control of Organised Crime Act, 1999 on furnishing PR. Bond of Rupees Twenty Five Thousand with one solvent surety in the like amount;
- iii. The Applicant shall not enter into territorial jurisdiction of Jejuri Police Station, District Pune Gramin till conclusion of trial except for trial;
- iv. The Applicant shall provide his address and name of nearby Police Station to the Investigating Officer and attend said Police Station on 1st and 16th day of every month between

10:00 a.m. to 11:00 a.m. till conclusion of trial, except on the date of trial;

- v. The Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case, as also not tamper with the evidence;
- vi. Liberty is granted to the State for cancellation of bail if the Applicant commits similar offence;
- vii. The Applicant shall attend the trial before the Trial Court regularly on every date unless exempted by the Trial Court for any reason.

[ANIL S. KILOR, J.]