

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO.2326 OF 2024

Vishal Arun Shinde	...	Applicant
V/s.		
The State of Maharashtra	...	Respondent

 Mr. Vijay Killedar, for the applicant.

Ms.Priyanka Rane, APP, for the Respondent / State.

CORAM : ANIL S. KILOR, J.

DATE : 9TH OCTOBER, 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.342 of 2022, registered with MIDC Police Station, Solapur, for the offences punishable under Sections 307, 201, 341, 323, 506, 143, 147, 148 and 149 of the Indian Penal Code, Section 4, 25 of the Arms Act and Section 37(1) and 135 of the Maharashtra Police Act.

3. The applicant is in jail from last 28 months and till date even the charge is not framed. No doubt the injuries caused to the victim are grievous injuries. However, considering the fact that even after the period of more than two years the charge is not framed, there

is unlikelihood that the trial would be concluded in near future.

4. The learned APP however, strongly opposed the application on the ground that the offence is serious and submits that if the applicant is released on bail, there is every possibility that he may commit the similar offence. Thereupon, the learned counsel for the applicant, on instructions, submits that the applicant is ready to abide by any condition including to stay outside the territorial jurisdiction of District-Solapur.

5. In the circumstances, since there is no end of the trial in sight and further considering the period of incarceration of the applicant, I am of the opinion that the application needs to be allowed. Accordingly, I pass the following order:

ORDER

- i) Criminal application is allowed;
- ii) It is directed that the applicant shall be released on bail in Crime No.342 of 2022, registered with MIDC Police Station, Solapur, for the offences punishable under Sections 307, 201, 341, 323, 506, 143, 147, 148 and 149 of the Indian Penal Code, Section 4, 25 of the Arms Act and Section 37(1) and 135 of the Maharashtra Police Act, on furnishing P.R.Bond of Rupees Twenty-Five Thousand with one solvent surety in the like amount;

iii) The applicant shall not enter into the territorial jurisdiction of District-Solapur, till the conclusion of the trial;

iv) The applicant shall provide their address and name of the nearby police station to the IO, which they shall attend the said Police Station on 1st day of every month between 10.00a.m. to 11.00 a.m., till the conclusion of the 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 to apply for cancellation of bail in case of any breach of condition or if the applicant commits similar offence;

vii) The applicant shall attend the trial before the trial Court regularly on every date unless exemption is granted by the trial Court.

6. The application is disposed of .

(ANIL S. KILOR, J)