



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 3063 OF 2024

Shankarlal @ Sampat Madhavlal
Jatt

...Applicant

vs.

The State of Maharashtra

...Respondent

Adv. Shailesh Chavan a/w Adv. Kalpana Chate a/w Adv. Sumitkumar Nimbalkar	Advocate for the Applicant
Ms. Sangita E. Phad	APP for the Respondent-State

CORAM : S. M. MODAK, J.

DATE : 30th SEPTEMBER 2024

P. C. :-

1. A copy of the counter affidavit on behalf of the Respondent-State affirmed by Satish Bhosale-API before Supreme Court in SLP Criminal No. 5638 of 2024 is taken on record. It is marked as 'Annexure-X'.
2. Heard learned Advocate Shri Chavan and learned APP Ms. Phad.

3. Earlier bail application of this Applicant was rejected on 19.08.2023. Liberty was granted to apply again if there is no progress in the trial in one year. Charge is framed and one witness about DVR is under cross-examination. It is undisputed fact. Additionally, the Hon'ble Supreme Court has granted bail to co-accused Motilal Kishanlal Gurjar on 20.08.2024. The sole ground was incarceration for more than two and half years. Parity is claimed.

4. It is opposed by learned APP, for the reason that trial is started.

5. Learned Advocate Mr. Chavan has inquired with the co-accused and he came to know the framing of the charge was brought to the notice of the Hon'ble Supreme Court. That is why he placed copy of counter affidavit by API-Satish Bhosale. It refers about framing of the charge and one technical witness is under cross-examination.

6. In view of this we cannot say that framing of the charge was not brought to the notice of the Hon'ble Supreme Court. Hence, Applicant needs to be granted bail.

7. Though it is submitted by learned APP that there are antecedents, the concerned Investigating Officer has not given the details.

8. Hence, the Order:-

ORDER

- (i) Bail Application is allowed.
 - (ii) The Applicant-Shankarlal @ Sampat Madhavlal Jatt arrested in connection with C.R. No. 470 of 2021 registered with Rabale Police Station, Navi Mumbai, Thane for an offence punishable under Sections 395, 397, 342, 452, 201, 120B read with 34 of the Indian Penal Code and under Section 37(1), 135 of the Maharashtra Police Act, be released on bail on furnishing Personal bond and Surety Bond in sum of Rs. 50,000/-.
 - (iii) The Applicant is directed to give attendance to Crime Branch Unit Navi Mumbai on first Monday of every month from 10.00 a.m. to 12.00 noon till conclusion of the trial.
 - (iv) Applicant not to threaten the prosecution witnesses.
9. Bail application is disposed of in aforesaid terms.
10. All the Parties to act upon an authenticated copy of this Order.

[S. M. MODAK, J.]