

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

CRIMINAL BAIL APPLICATION NO. 3815 OF 2024

Pravin Babasaheb Jadhav

...Applicant

Vs.

The State of Maharashtra

...Respondent

Mr. Satyavarat Joshi i/b Mr. Ashish Kachole, Advocate for Applicant.

Mrs. G. P. Mulekar, APP for State-Respondent.

Mr. Ramadar, PSI, Kagal Police Station, present.

CORAM:- ANIL S. KILOR, J.

DATED:- 16th DECEMBER, 2024

PC:-

- 1) The learned APP seeks file reply on record.
- 2) Reply is taken on record.
- 3) By this application under Section 439 of the Code of Criminal Procedure the applicant is seeking bail in Crime No. 256 of 2017 registered with Kagal Police Station, Dist.- Kolhapur for the offences punishable under Sections 395, 364-A, 387, 346, 506(2) and 120-B read with Section 34 of the Indian Penal Code, 1860, Sections 3(1) and 27 of the Arms Act, 1959 and Sections 3(1) (ii), 3(2), 3(4), 3(5) and 4 of Maharashtra Control of Organized Crime Act, (MCOC).

- 4) The applicant is in jail from last 7 years and till date only 19 witnesses have been examined. There are total 96 witnesses. Thus, considering the number of total witnesses to be examined, there is no end of trial in sight in the near future.
- 5) Furthermore, the co-accused Milind Suresh Sokasane has been granted bail by this Court vide order dated 7th October, 2023. The role of the co-accused Milind is similar with the role of the present applicant. Furthermore, it is pointed out that co-accused Netaji Sambhaji Mohite has also been released on bail.
- 6) It is submitted that if the case of the applicant is considered with the case of Netaji, the applicant is on a better footing. The record further shows that the co-accused Avadhut Sanjay Lugade and Akash Sanjay More were also released on bail.
- 7) In the circumstances, considering the long period of incarceration and the fact that the co-accused have been released on bail, despite the fact that the learned APP has strongly opposed the application, I am of the opinion that applicant is entitled for grant of bail.
- 8) Accordingly, I pass the following order.

ORDER

- i The Bail Application is allowed;
- ii The applicant in connection with C.R. No. 256 of 2017 registered with Kagal Police Station, Kolhapur shall be released on bail on him furnishing PR. Bond of Rs.50, 000/- with one or more sureties in the like amount.
- iii The applicant shall attend the investigating officer of Kagal police station once in a month every first Monday of the month between 11.00 a.m. and 1.00 p.m.

iv. The applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing the facts to Court or any Police Officer. The applicant shall not tamper with evidence.

v. On being released on bail, the applicant shall furnish his contact number and residential address to the Investigating Officer while residing outside Kolhapur and shall keep him updated, in case there is any change;

vi. Except for attending the trial and for the purpose of reporting to the investigating officer, the applicant shall not enter Kolhapur, Nagpur and Amravati Districts after being released on bail, till the trial concludes;

vii. The applicant shall not seek unnecessary adjournments.

viii. The applicant shall attend the trial regularly. The applicant to co-operate with the trial Court and shall not seek unnecessary adjournments

ix) It is made clear that any attempt on the part of the applicant to contact, influence or threaten the witnesses will be viewed seriously which may result in cancellation of this bail.

x) The application is disposed of.

[ANIL S. KILOR, J.]