

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

CRIMINAL BAIL APPLICATION NO. 4112 OF 2024

Sukhdeo Ramdas Madavi

...Applicant

Vs.

The State of Maharashtra

...Respondent

Mr. Advait Bhonde i/b Mr. Omkar Phadtare, Advocate for Applicant.

Mr. P. H. Gaikwad, APP for State-Respondent.

CORAM:- ANIL S. KILOR, J.

DATED:- 12th NOVEMBER, 2024

PG:-

1) Heard.

2) By this application under Section 439 of the Code of Criminal Procedure the applicant is seeking bail in Crime No. 120 of 2017 registered with Faraskhana Police Station, Pune, for the offences punishable under Sections 302 and 504 of the Indian Penal Code, 1860 and Section 37(1) read with Section 135 of the Maharashtra Police Act, 1951.

3) The applicant is in jail for more than seven years and in the trial, out of 39 total witnesses, till date one has been examined. Thus, considering the pace with which the trial is proceeding, there is unlikelihood that the trial will be concluded in near future.

4) Thus, considering the long period of incarceration along with the fact that there is no end of trial in sight, in view of the judgment of the Hon'ble Supreme Court of India in the case of *Sheikh Javed Iqbal @ Ashfaq Ansari @ javed Ansari vs. State of Uttar Pradesh*)¹, I am of the opinion that the applicant is entitled for grant bail.

5) Accordingly, I pass the following order.

ORDER

- i The Bail Application is allowed;
- ii It is directed that the Applicant shall be released on bail in Crime No. 120 of 2017 registered with Faraskhana Police Station, Pune, for the offences punishable under Sections 302 and 504 of the Indian Penal Code, 1860 and Section 37(1) read with Section 135 of the Maharashtra Police Act, 1951, on furnishing P.R. Bond of Rs.25,000/- (Rupees Twenty Five Thousand) with one solvent surety in the like amount;
- iii The applicant shall not enter into the territorial jurisdiction of Pune City till the conclusion of the trial except on the date of trial;
- iv. The applicant shall provide his address and name of the nearby police station to the I.O, which he shall attend the said Police Station on 1st day of every month between 10.00 am to 11.00 am 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 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.
- viii. Application stands disposed of, accordingly.

[ANIL S. KILOR, J.]