



IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 1608 OF 2024

IN

CRIMINAL APPEAL NO. 160 OF 2014

Mayur Dagaji Bacchav

.....Applicant

Vs.

The State Of Maharashtra

.....Respondent

Mr. Daulat G. Khamkar, for the Applicant.

Smt. Madhavi H. Mhatre, APP, for Respondent-State.

CORAM : A. S. GADKARI AND
DR NEELA GOKHALE, JJ.

DATE : 5th JULY, 2024.

PC.:-

1) Leave to amend to state correct Sessions Case number, C.R. number and Police Station in the pleadings and prayer clauses is granted.

1.1) Amendment be carried out forthwith.

2) This is a successive Application by accused No.4, seeking release on bail. It is an admitted fact on record that the Applicant has undergone approximately 11 years and 6 months in actual incarceration. Learned APP produced on record a Nominal Roll of the Applicant clearly indicating the said fact.

3) In view of the Guidelines issued by the Hon'ble Supreme Court in the case of Saudan Singh Vs. The State of Uttar Pradesh in Criminal Appeal No. 308 of 2022 [@ SLP (Crl.) No. 4633 of 2021], dated 25th February 2022 and the view expressed in cases of (i) Suleman Vs. The State of Uttar Pradesh, Criminal Appeal No. 491 of 2022 (Arising out of SLP (Crl) No. 1451 of 2022) dated 25th March 2022 and (ii) Dinesh @ Paul Daniel Khajekar Vs. State of Maharashtra & Anr., Criminal Appeal No. 2987 of 2023 (Arising out of S.L.P. (Crl.) No. 10320 of 2023) dated 25th September 2023, the Applicant is entitled to be released on bail during the pendency of Appeal.

4) Hence, the following Order.

- (i) Applicant shall be released on bail in Sessions Case No.565 of 2010 arising out of C.R.No.172 of 2010 dated 27th April 2010 registered with Bhosari Police Station, Pune, on his furnishing P.R. bond of Rs.25,000/- with one or two solvent local sureties in the like amount.
- (ii) After his release from Jail and during the pendency of the present Appeal, the Applicant shall attend Bhosari Police Station, Pune on every first Monday of the month between 10:00 am and 12:00 noon initially for a period of one year.

After end of one year, the Applicant shall attend

Bhosari Police Station, Pune on every first Monday of the every 3rd Month between 10:00 am and 12:00 noon. The Applicant thus shall attend Bhosari Police Station, Pune, four times in a year during the pendency of the present Appeal.”

(iii) In case of two consecutive defaults in complying with the aforestated conditions, the Prosecution is at liberty to file an application for cancellation of bail.

5) Application is allowed in the aforesaid terms.

(DR NEELA GOKHALE, J.)

(A.S. GADKARI, J.)