

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 1258 OF 2024

Akshay S/o Lahu Patil

Age : 27 Years, Occu. : Business,

R/o. : Waklan, Post : Dahisar,

Taluka and District : Thane.

...Applicant

Versus

The State of Maharashtra

(At the instance of Dahisar Police Station)

...Respondent

WITH
INTERIM APPLICATION NO. 2071 OF 2024
IN
BAIL APPLICATION NO. 1258 OF 2024

Uddesh Maruti Patil

...Applicant
(Original Informant)

In the matter between:-

Akshay S/o Lahu Patil

Age : 27 Years, Occu. : Business,

R/o. : Waklan, Post : Dahisar,

Taluka and District : Thane.

...Applicant

Versus

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(At the instance of Dahisar Police Station)

...Respondent

Mr.Rahul Mote:-	Advocate for Applicant.
Mr.Laxman S. Deshmukh:-	Advocate for First Informant/Intervenor.
Mr.H.J.Dedhia:-	APP for Respondent–State.
Mr.Muzawar – P.I.:-	Presently attached to Traffic Control Branch – Navi Mumbai, Nhava Sheva.
Mr.Desai – P.S.I.:-	Shil-Diaghar Police Station.

CORAM : S. M. MODAK, J.

DATE : 26th JUNE 2024

P.C. :-

1. I have heard learned Advocate for the Applicant, learned APP and learned Advocate for the First-Informant at great length on the last date and today also.
2. Today, the matter is fixed for hearing the learned APP in order to ascertain the material about sim card No.8329234146. Today, the statement of one Yadav is shown to me. It is not part of the charge-sheet. According to learned APP, it was recorded after filing of the charge-sheet. This witness has lost the mobile and he has not lodged any complaint.
3. When I have gone through all the materials, I am not inclined to grant bail for two reasons:-

- (a) There is extra judicial confession given by this Applicant to witness Suraj Laxman Patil and
- (b) There is a statement of witness by name Bhanudas Laxman Mhaskar. This Applicant has paid certain amount to the Accused No.1 – Pravin Ramdas Jagtap. Later on, the witness came to know that the Applicant for the purpose of eliminating the deceased Mangesh, parted away the money. In his statement under Section 164 of the Code, though he has said about parting away the money by the Applicant, to whom he has parted away money is not there.

4. These two circumstances, according to learned Advocate for the Applicant, they are vague and they are inadmissible. It is a question of trial. The case of present Applicant and Ajinkya (who is granted bail) stands on different footing. The materials are different. So, I am not inclined to grant bail.

5. At this juncture, on instructions, there is a prayer to withdraw the Application. It is disposed of as withdrawn.

6. There is a request to expedite the trial. Learned APP Smt. Phad is appointed as a Special Public Prosecutor to conduct the trial. Let the trial be completed within a period of one (1) year from the date of

framing of charge. If the Accused persons delay the trial, then certainly prosecution is entitled for extension of the period.

7. In view of that, Interim Application stands disposed of.

[S. M. MODAK, J.]