



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA) NO.331 OF 2024

Abhijit Atmaram Sayare .Vs. State of Mah., through PSO, PS, Ramnagar, Wardha

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri A.S. Shukla, Advocate for applicant.

Ms M.A. Barabde, A.P.P. for non-applicant/State.

CORAM : ANIL S. KILOR, J.

DATED : 24/04/2024

1. In this application the applicant is praying for grant of bail in Crime No.9 of 2017, registered with Police Station, Ramnagar, Wardha, District Wardha for the offences punishable under Sections 394 read with Section 34 of the Indian Penal Code and Section 3 of the Maharashtra Control of Organized Crimes Act, 1999.

2. In the present application the applicant is in jail from 21.1.2017 i.e. from last seven years. The maximum punishment is 10 years. In the present matter the trial commenced on 31.8.2021 and in last more than two years of period out of 59 witnesses 16 witnesses have been examined and 33 witnesses are remained to be examined.

3. Considering the time consumed in examining the witnesses of 16 witnesses, I have no hesitation to say

that within the period of maximum punishment of 10 years, the trial would not conclude.

4. It is informed that all the witnesses, who have till date examined have turned hostile. Thus, considering the above referred fact there is a reasonable ground to believe that the applicant is not involved in the alleged offence.

5. In that view of the matter, following order is passed :

ORDER

- i) Criminal application is **allowed**;
- ii) It is directed that the applicant shall be released on bail in Crime No.9 of 2017, registered with Police Station, Ramnagar, Wardha, District Wardha for the offences punishable under Sections 394 read with Section 34 of the Indian Penal Code and Section 3 of the Maharashtra Control of Organized Crimes Act, 1999, on furnishing P.R.Bond of Rs.50,000/- (Rupees Fifty Thousand) with one solvent surety in the like amount;
- iii) The applicant shall not enter into the territorial jurisdiction of Wardha city till the trial is concluded, except for attending the trial.
- iv) The applicant shall give his address and name of the Police Station which he shall attend on 1st and 16th

day of every month between 11:00 a.m. and 12:00 noon, till culmination 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 for cancellation of bail, if the applicant commits similar offence.

vii) The applicant shall attend the trial before the Sessions Court regularly on every date unless exemption is granted by the Sessions Court.

6. The Criminal Application is **disposed of** accordingly.

JUDGE