



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

958 BAIL APPLICATION NO. 1004 OF 2025

AKSHAY SANJAY CHAUGULE

VERSUS

THE STATE OF MAHARASHTRA

...

Advocate for Applicant :

Mr. Deshpande Chaitanya Chandrakant

APP for Respondent/State: Mrs. A. S. Mantri

...

CORAM : ARUN R. PEDNEKER, J.

DATE : 07.08.2025

P.C. :

1] Heard learned counsel for the applicant and the learned APP for the respondent-State.

2] The applicant is seeking bail as he was arrested on 24.08.2020 in connection with Crime No.67/2020, registered with Mohadinagar Police Station, District Dhule, for the offences punishable under Sections 302, 120-b, 201, 143, 147, 148, 149, 504, 506 read with 34 of the Indian Penal Code and 3/25, 4/25, 27 of the Arms Act & 3(1)(i), 3(2), 3(4) of the Maharashtra Control of Organized Crime Act, 1999.

3] The earlier bail application bearing no.1563/2022 was dismissed by this court by order dated 21.12.2022. Thereafter, the applicant challenged the order

before the Hon'ble Supreme Court. The Hon'ble Supreme Court while disposing off the SLP by order dated 12.07.2024 in SLP No.4732/2024 has observed as under:

“ **ORDER**

The order rejecting the bail was of 21.12.2022 and since then, more than 1½ years have already elapsed. Considering the same, in our view, the arguments regarding delay in trial, as advanced before us, may be made before the High Court applying afresh. At present, we dispose of this Special Leave petition granting liberty to the petitioner to take recourse before the High Court afresh, taking all grounds as are available to him.

Pending interlocutory application(s), if any, is / are disposed of.”

4] The learned counsel for the applicant has thus filed the present bail application on account of delayed trial.

5] In view of the present application, report indicating status of the trial was called from the concerned Sessions Court. The concerned Sessions Court in it's report stated that there are various cases pending and this matter is kept for recording of evidence and after deciding the matters of under trial prisoners, this matter would proceed.

6] The learned counsel for the applicant submits that the applicant is arrested on 24.08.2020. There are 92 witnesses and none are examined.

7] Per contra, the learned APP submits that the prosecution is ready to conclude the trial within six months.

8] There are 22 accused in the case and considering that 92 witnesses are to be examined, it would be difficult for the concerned Sessions Court to conclude the trial in time in near future.

9] Considering the above aspects and that there is only one antecedent against the applicant of the year 2018 under Sections 143, 147 and under the provisions of the Atrocities Act, the applicant can be granted bail on the ground of his violation of fundamental right of speedy trial.

10] In view of the above, the application is allowed in the following terms :

a] The applicant shall be released on bail in connection with Crime No.67/2020, registered with Mohadi-nagar Police Station, District Dhule, for the offences punishable under Sections 302, 120-b, 201, 143, 147, 148, 149, 504, 506 read with 34 of the Indian Penal Code and 3/25, 4/25, 27 of the Arms Act & 3(1)(i), 3(2), 3(4) of the Maharashtra Control of Organized Crime Act, 1999, on furnishing PR bond of Rs.20,000/- with one or two sureties in the like amount to the satisfaction of the trial Court.

b] The applicant, upon being released on bail, shall not contact the informant, in any manner whatsoever, during the pendency of the trial.

c] The applicant shall co-operate with the trial Court and he shall attend each and every date, unless exempted by the trial Court.

d] The applicant shall not tamper with the evidence of the prosecution and he shall not influence the informant, witnesses and other persons concerned with the case.

e] The applicant, upon being released on bail, shall place on record of the trial Court the details of his Contact Number and residential address with updates in case of any change.

11] Needless to say, in case of violation of any of the aforesaid conditions, the bail granted to the applicant shall be liable to be cancelled.

12] It is also clarified that the observations made in this order are limited to the disposal of the present bail application. The concerned Court shall proceed further in the matter without being influenced by the observations made hereinabove.

13] The Bail Application stands disposed of.

[ARUN R. PEDNEKER]
JUDGE