



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

927 BAIL APPLICATION NO. 1135 OF 2025

Vinod Dayalu Dighore

VERSUS

The State Of Maharashtra

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Advocate for Applicant : Mr. Abhaysinh K. Bhosle

APP for Respondents-State: Mr. D. J. Patil

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CORAM : ARUN R. PEDNEKER, J.

Dated : August 07, 2025.

PER COURT :-

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

2. The applicant is seeking bail in connection with FIR No. 176/2019, registered with Itwara Police Station, District Nanded, for the offences punishable under Sections 307, 120-B, 384, 386, 166, and 166-A read with Section 34 of the *Indian Penal Code*, under Sections 3/25 and 27 of the *Indian Arms Act*, under Sections 3(1)(ii), 3(2), 3(4), and 24 of the *Maharashtra Control of Organised Crime Act* (MCOC Act), and under Section 5 of the *Explosive Substances Act*.

3. The earlier bail application filed by the applicant was rejected by this Court by order dated 15/02/2021. The observations made by this Court, particularly in paragraph No. 19, are as under: -

“19. Applicant co-accused no.8 – API Vinod Dighore was working as A.P.I. during the period from 2015 to 2019 in Crime Branch, Nanded. Even though informant Govind has received a threatening call from co-accused Harvindersingh @ Rindha for demand of huge

amount, however, co-accused API Vinod has called the informant in the house of co-accused no.7 Virendra for settlement. He has not initiated any action against co-accused Rindha. It is also highly objectionable that co-accused no.8 -API Vinod remained in contact continuously with co-accused persons including co-accused no.7 Virendra though they are having criminal background. It is also revealed during the course of investigation that co-accused no.8 - Vinod remained in contact with co-accused no.2 Gurucharansingh and co-accused no.6-B Subhash Mohan Pawar on phone. It has been transpired during the course of investigation that during the tenure of co-accused Vinod in Crime Branch at Nanded, threatening calls from co-accused Harvindersingh @ Rindha's gang were increased."

4. The said order was challenged by the applicant before the Hon'ble Supreme Court. By its order dated 23/07/2021, the Hon'ble Supreme Court granted liberty to the applicant to apply for bail before the Trial Court after material witnesses were examined. Thereafter, the applicant also approached this Court by filing a writ petition seeking expeditious disposal of the trial. The Division Bench of this Court, by order dated 20/01/2025, granted a second extension to the Trial Court to complete the trial.

5. However, since the trial has not been concluded, the present bail application is filed. This Court, accordingly, called for a report from the Trial Court.

6. From the report of the Trial Court, it appears that out of 116 witnesses, only 48 have been examined so far. The learned Special Public Prosecutor has also submitted a communication indicating that further eight to ten witnesses are yet to be examined. However, considering the pendency of a large number of matters before the Trial Court, it is unlikely that the present trial will be concluded in the near future.

7. The applicant is in custody for over 5½ years. The material witnesses have already been examined. In such circumstances, there appears to be no possibility of the applicant tampering with the evidence. Therefore, considering the prolonged incarceration and the delay in completion of trial, this Court is of the view that the applicant deserves to be released on bail on the ground of violation of his fundamental right to a speedy trial.

8. In view of the above, the application is allowed in the following terms: -

a] The applicant shall be released on bail in connection with FIR No. 176/2019, dated 05/06/2019, registered with Itwara Police Station, District Nanded, on furnishing a P.R. bond of Rs.30,000/- with one or two sureties of 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 shall attend each and every date of hearing, unless exempted by the Court.

d] The applicant shall not tamper with the prosecution evidence, nor shall he influence the informant, any witnesses, or any other persons concerned with the case.

e] Upon being released on bail, the applicant shall furnish his contact number and residential address before the Trial Court and shall keep the Court informed of any change in the same.

9. Needless to state, in the event of breach of any of the aforesaid conditions, the bail granted to the applicant shall be liable to be cancelled. It is clarified that the observations made in this order are confined to the present bail application only. The Trial Court shall proceed with the trial uninfluenced by any such observations.

10. The application stands disposed of.

(ARUN R. PEDNEKER, J.)

vj gawade/-.