

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 4178 OF 2024

Amol @ Arya Bhai Sambhaji Mohite ...Applicant

VERSUS

The State of Maharashtra ...Respondent

....

Mr. Ramanik Pawar a/w Ms. Samiksha Pawar, Ms. Trupti Jambulkar, Mr. Samadhan M., Ms. Dhanashree Jagdale, Ms. Shubhangi & Mr. Rahul Gupta, Advocate for the Applicant.

Mr. S. S. Chaudhary, A.P.P. for the Respondent – State.

....

CORAM : N. R. BORKAR, J.
DATE : 05.03.2025.

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No.256 of 2017 registered at Kagal Police Station, Dist-Kolhapur for the offences punishable under Sections 395, 364(A), 387, 346, 506(2), 120(B) of the Indian Penal Code, under Sections 3(1)(ii), 3(2), 3(4), 3(5) of the MCOC Act and under Sections 3(1) r/w 27 of the Arms Act.
3. The allegations against the applicant and other co-accused are of abduction for ransom.

4. The bail is sought on the ground of long incarceration as under-trial prisoner. The learned counsel for the applicant submits that the applicant is in jail for more than seven years and four months. The learned counsel for the applicant has drawn my attention to the order passed by this Court dated 12.04.2024, in Criminal Bail Application No.2274 of 2023, by which this Court permitted the applicant to withdraw the bail application with liberty to file fresh application after six months. It is submitted that the trial is not likely to be concluded in near future as there are more than 50 witnesses.

5. On the other hand the learned APP for the respondent-State submits that the trial has commenced and the prosecution has examined nine witnesses. It is submitted that the applicant is involved in 23 crimes. It is further submitted that after committing the present crime the applicant was absconding and committed another crime for the offences punishable under Section 302 of the Indian Penal Code. It is thus submitted that the applicant may not be released on bail.

6. Considering the facts that there are more than 50

witnesses, the trial is not likely to be concluded in near future. The applicant is in jail for more than seven years. Considering the overall facts and circumstances of the case, I am inclined to release the applicant on bail. In the result, the following order is passed:

ORDER

- A] The Application is allowed.
- B] The applicant be released on bail in Crime No.256 of 2017 registered at Kagal Police Station, Dist-Kolhapur for the offences punishable under Sections 395, 364(A), 387, 346, 506(2), 120(B) of the Indian Penal Code, under Sections 3(1)(ii), 3(2), 3(4), 3(5) of the MCOC Act and under Sections 3(1) r/w 27 of the Arms Act, on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.
- C] The applicant shall attend the concerned police station twice in a month, i.e., on first & third Saturday between 11:00 am to 2:00 pm, till conclusion of the trial.

D] The applicant shall not commit any other crime.

E] It would be open to the prosecution to file an application for cancellation of bail, if the applicant commits breach any of the above condition.

7. Application stands disposed of accordingly.

(N. R. BORKAR, J.)