

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 5477 OF 2024

Shri. Suraj Sanjay Madane ...Applicant

Versus

The State of Maharashtra ...Respondent

Mr. Satyavrat Joshi a/w Mr. Samay Pawar i/b Mr. Ashish Kachole,
learned Advocate for the Applicant.

Mrs. Madhavi H. Mhatre, learned A.P.P. for the State/Respondent.

CORAM : ASHWIN D. BHOBE, J.

DATE : 18th JUNE 2025.

P.C. :

1. Heard Mr. Satyavrat Joshi, learned Advocate for the Applicant and Mrs. Madhavi Mhatre, learned A.P.P. for the State/Respondent.

2. By the present Application filed under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 (“**BNSS**” for short), the Applicant is before this Court seeking regular bail in connection with Crime No. 93 of 2023 registered with Kadegaon Police Station, District-Sangli for the offence punishable under Sections 302, 307, 324, 143, 147, 148, 149 and 427 of the Indian Penal Code, 1860 (“**IPC**” for short). The said crime is registered as Sessions Case No. 486 of 2024 and is allotted to the Court of learned Additional Sessions Judge, Vita, District-Sangli.

3. There are seven accused in the present crime. Applicant herein is Accused No. 3. Applicant was arrested on 4th June 2023 and since then he continues to be in jail.

4. Mr. Satyavrat Joshi, learned Advocate for the Applicant states that the Applicant is not seeking bail on merits and he presses into service the right of Applicant to have speedy justice. He submits that though the Applicant was arrested in the month of June 2023, there is no progress in the trial of Sessions Case No. 486 of 2024. He states that the Charge is not framed as on date. He states that the allegations in the abovesaid crime against the Applicant (Accused No. 3) are similar and identical to the case of Kiran Laxman Madane (Accused No. 2) in the said crime. He places on record the order dated 5th May 2025, passed by this Court in the case of Accused No. 2, by which Accused No. 2 has been released on bail on the ground of long incarceration and no progress in the trial, the same is taken on record. He submits that Accused No. 2 is similarly placed and therefore, he seeks parity, as also release on bail, on the ground of long incarceration. He relies on the orders of this Court in the case of *Vikas Chandrakant Patil v/s. The State of Maharashtra*¹ and *Niklesh Prakash Patil v/s. The State of Maharashtra*² in support of his contention on long incarceration.

5. Mrs. Madhavi Mhatre, learned A.P.P. submits that the case of Applicant in the context of long incarceration, as also involvement of the Applicant in the crime, is similar to that of Kiran Laxman Madane (Accused No. 2) in the said crime. She submits that this Court in Criminal Bail Application No. 1901 of 2025, has

1 Bail Application No. 1963 of 2025 decided on 9th May 2025.

2 Bail Application No. 1208 of 2025 decided on 8th May 2025.

considered the sole ground of long incarceration and released the Applicant therein on the said ground of long incarceration. She in all fairness submits that the order dated 5th May 2025, passed in Criminal Bail Application No. 1901 of 2025 would apply to the case of Applicant.

6. I have perused the records with the assistance of learned Advocates of the parties. I have also perused the order dated 5th May 2025, passed by this Court in Criminal Bail Application No. 1901 of 2025.

7. Perusal of the order dated 5th May 2025, reveals that this Court after considering the long incarceration of the said Applicant in Criminal Bail Application No. 1901 of 2025, has released him on bail. The same position would apply to the case of Applicant herein. Applicant is incarcerated since 4th June 2023 and conclusion of the trial in the near future looks to be bleak. Applicant is justified in pressing his right of speedy trial.

8. In view of the above, the Applicant is entitled to be released on bail on the ground of he being incarcerated since 4th June 2023.

9. The Bail Application is allowed on the following conditions :-

- a. Applicant is directed to be released on bail in connection with Crime No. 93 of 2023 registered with Kadegaon Police Station, District-Sangli for the offence punishable under Sections 302, 307, 324, 143, 147, 148, 149 and 427 of the IPC on executing P.R. Bond in the sum of Rs. 1,00,000/- (Rupees One Lakh Only) with

one or two sureties in the like amount to the satisfaction of the learned Additional Sessions Judge, Vita, District-Sangli.

- b. Applicant shall not enter the Sangli District after being released on bail, except for reporting to the Investigating Officer, if called, and for attending the trial.
- c. On being released on bail, the Applicant shall furnish his cell phone number and residential address to the Investigating Officer and shall keep the same updated, in case of any change thereto.
- d. Applicant shall report to the Kadegaon Police Station, District-Sangli once in every week, on every Sunday between 11.00 a.m. and 1.00 p.m. till the conclusion of the trial. The Police Inspector of Kadegaon Police Station, District-Sangli to communicate details thereof to the Investigating Officer.
- e. Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade such a person from disclosing the facts to the Court or to any Police personnel.
- f. Applicant shall not tamper with the prosecution evidence and shall not contact or influence the

Complainant or any witness in any manner.

- g. Applicant shall co-operate with the trial and shall regularly appear before the learned Trial Court as and when summoned and the date is fixed, unless specifically exempted by the learned Trial Court. He shall not seek unnecessary adjournments thereat.
- h. Applicant shall surrender his passport, if any, to the Investigating Officer.

10. Criminal Bail Application No. 5477 of 2024 stands disposed of in the abovesaid terms.

[ASHWIN D. BHOBE, J.]

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by GITALAXMI
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