

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.1962 OF 2024

David Murgesh Devendran

.. Applicant

Versus

The State of Maharashtra

.. Respondent

.....

- Mr. Saurabh D. Butala, Advocate for Applicant appointed through legal aid.
- Ms. Savita M. Yadav, APP for Respondent.

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CORAM : MILIND N. JADHAV, J.

DATE : APRIL 04, 2025

P.C.:

- 1.** Heard Mr. Butala, learned Advocate for Applicant appointed through legal aid and Ms. Yadav, learned APP for Respondent.
- 2.** On 03.04.2025, after hearing the learned Advocate and learned APP, following order was passed:-

“1. Heard Mr. Butala, learned Advocate for Applicant and Ms. Yadav, learned APP for Respondent – State.

2. Present Applicant is languishing in jail for the past more than 10 years which is seen from the record of the case. Co-accused in the same crime has been enlarged on bail by order dated 11.01.2023. In that order, direction has been given by the Court to expedite the trial. It is also seen that in a previous Bail Application which came to be rejected by this Court on 08.04.2019, the Trial Court has given a specific direction considering the period of long incarceration suffered by the Accused persons to expedite the trial and conclude on or before 05.12.2019.

3. In that view of the matter, learned Prosecutor shall apprise the status of the trial, equally Mr. Butala, learned Advocate for the Applicant shall check online status of the trial and apprise the same to the Court tomorrow.

4. Considering the long incarceration of the Applicant, present Application shall be heard and decided tomorrow itself.

5. *Stand over to 04th April, 2025. To be placed under the caption 'First on Board'.*

3. Today when the matter is listed, Mr. Butala has placed copy of orders passed below Exhibits-70 and 72 in S.C. No.125 of 2014 which have been prosecuted by State versus present Applicant before Trial Court. Said copies of order are downloaded from the official E-Courts website. They are taken on record.

4. *Prima facie*, perusal of record reveals that Applicant has been released on bail by the order dated 06.05.2024 followed by subsequent order dated 27.05.2024 modifying the said order.

5. In that view of the matter, present Application does not survive and had become infructuous since Applicant is enlarged on bail. Application is disposed.

6. This Court appreciates the assistance rendered by Mr. Butala, learned appointed Advocate for Applicant. Fees of the learned Advocate Mr. Butala appointed through legal aid to represent and espouse the cause of Applicant shall be released by the Registry of this Court within a period of one week from the date of presentation of a server copy of this order on compliance.

7. Bail Application stands disposed.

H. H. SAWANT

[MILIND N. JADHAV, J.]

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by HARSHADA
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