

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 2727 OF 2024

Sachin L. Sharma ...Applicant
V/s.
The State of Maharashtra ...Respondent.

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Mr. Lokesh D. Zade, Appointed Advocate for the Applicant.
Mrs. P.S. Rane, APP for the Respondent/State.

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CORAM : N.R. BORKAR, J.
DATE : 24.02.2025.

P.C. :

1. The applicant has filed this application through jail, *inter alia*, praying that he be released on bail.
2. The applicant came to be arrested in Crime No.499 of 2020 registered at Panvel City Police Station, Navi Mumbai for the offences punishable under Sections 376 and 506(2) of the Indian Penal Code.
3. Learned appointed counsel for the applicant has drawn my attention to the order passed by this court dated 29.11.2021 in Bail Application No.3040 of 2021. By the said order, this Court has rejected the application filed by the present applicant and directed the trial Court to conclude the trial expeditiously. The learned counsel for the applicant submits that except framing of the charge, there is no progress in the trial. It is submitted that the applicant is in jail for more than 4 years and there are no other

criminal antecedents against him. It is thus submitted that the applicant may be released on bail.

4. On the other hand, learned APP for the respondent/State submits that the applicant is involved in serious offence of rape. It is submitted that this Court has rejected the earlier application on merit. It is submitted that considering the nature of offence, the applicant may not be released on bail.

5. The fact that the applicant is in jail for more than 4 years is not disputed. This Court, by order dated 29.11.2021, while rejecting the application, directed the trial Court to conclude the trial expeditiously. However, even after more than three years there is no substantial progress in the trial. In that view of the matter, 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 C.R. No. 499 of 2020 registered at Panvel City Police Station, Navi Mumbai for the offences punishable under Sections 376 and 506(2) of the Indian Penal Code on furnishing P.R Bond in the sum of Rs.15,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

C] The applicant shall attend the concerned police station once in a month ,i.e., on first Saturday between 11.00 a.m. to 2.00 p.m. till conclusion of the trial.

D] The Registry shall forward the copy of this order to the applicant. The Superintendent of concerned Jail shall submit a report whether the applicant is in a position to furnish surety or not.

6. List the matter for compliance on 17.03.2025.

[N.R.BORKAR, J.]