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

CRIMINAL BAIL APPLICATION NO. 3380 OF 2024

Sanjay Kalpanath Pandey

.. Applicant

Versus

The State of Maharashtra

.. Respondent

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- Dr. Samarth S. Karmarkar, Advocate i/by Karmarkar & Associates for Applicant.
 - Ms. Savita M. Yadav, APP for Respondent – State.
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CORAM : MILIND N. JADHAV, J.

DATE : APRIL 24, 2025.

P.C.:

1. Heard Dr. Karmarkar, learned Advocate for Applicant and Ms. Yadav, learned APP for Respondent – State.

2. A strong circumstance exists for considering the present Application for grant of bail. Dr. Karmarkar would submit that Applicant is indicted in offences punishable under the Indian Penal Code, 1860 and the Special Act (MCOC Act). He would submit that Application was filed in August 2024, but it has never been listed before the Court, rather it was listed on a couple of occasions but only on 07.10.2024 an order was passed by the Court, *inter alia*, directing the prosecution to file its Affidavit-in-Reply. It is seen that the said order is complied and Affidavit-in-Reply has been filed which is appended at page No.409 of the Application.

3. Learned prosecutor is directed by the Court to give extra copy of the Affidavit-in-Reply to the learned Advocate for Applicant for immediate consideration.

4. *Prima facie* perusal of the above shows that apart from the merits of the matter, the facet of long incarceration pending trial deserves to be considered in the present case.

5. Learned Advocate for Applicant would submit that charge has not been framed till date and Applicant is incarcerated in prison for the past more than 4 and $\frac{1}{4}$ years. He would submit that the aforesaid ground be considered by the Court for grant of bail.

6. Considering the above submission, learned prosecutor shall accordingly apprise the specific role of the Applicant and take appropriate instructions for arguing the present matter on the next adjourned date.

7. One of the other submission made by the learned Advocate for Applicant is that Accused Nos.2 and 3 both have been enlarged on bail and according to the prosecution Accused No.2 is the gang leader. Present Applicant is arraigned as Accused No.1.

8. List the Bail Application on Board for hearing on **10th June 2025**.

[MILIND N. JADHAV, J.]

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