

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

BAIL APPLICATION NO. 4585 OF 2024

Manoj Waman Shingare	...Applicant
Versus	
The State of Maharashtra	...Respondent

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Adv. Siddh Vidya a/w Adv. Shalaka K., Ms. Divya Maniar and Mr. Arjun Yadav, i/b Adv. Siddh Vidya and Associates, Advocate for the Applicant.

Ms. Veera Shinde, A.P.P. for the Respondent – State.

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CORAM	:	N. R. BORKAR, J.
DATE	:	17th FEBRUARY, 2025.

P.C.:

1. This is an application for regular bail.

2. The applicant came to be arrested in Crime No.357 of 2017 registered at Shivajinagar Police Station, District : Kolhapur, for the offences punishable under Sections 388, 307, 449, 338, 324, 323, 143, 147, 148, 149, 427, 504, 506 of the Indian Penal Code (for short 'IPC') and Sections 3(1)(ii), 3(2), 3(4) and 3(5) of the Maharashtra Control of Organized Crime Act (for short 'MCOC')

3. The bail is sought on the ground of long incarceration

of the applicant as under trial prisoner. The learned counsel for the applicant submits that the applicant is in jail for more than seven years. It is submitted that the Hon'ble Supreme Court had held that prolonged incarceration without trial amounts to infringement of or violation of right of accused under Article 21 of the Constitution of India.

4. On the other hand, the learned A.P.P. for the Respondent-State submits that the applicant is involved in serious crime of extortion and attempt to murder. It is submitted that the applicant is member of Organized Crime Syndicate and is involved in four more serious crimes. It is submitted that the applicant, therefore, may not be released on bail.

5. This Court by order dated 24.11.2022 in Bail Application No.3059 of 2021 has released the co-accused Aakash Annappaa Bhilugade on bail on account of long incarceration though the said applicant was in jail for a period of five years. Considering the overall facts and circumstances of the case, I am inclined to release the applicant on bail.

ORDER

- (i) Criminal Bail Application is allowed;
- (ii) The applicant is directed to be released on bail in connection with Crime No.357 of 2017 registered at Shivajinagar Police Station, District : Kolhapur, for the offences punishable under Sections 388, 307, 449, 338, 324, 323, 143, 147, 148, 149, 427, 504, 506 of the IPC and Sections 3(1)(ii), 3(2), 3(4) and 3(5) of the MCOC on executing P.R. Bond in the sum of Rs.50,000/- with one or two sureties in the like amount;
- (iii) The applicant shall not enter into the Municipal limits of Ichalkaranji, Jaysingpur, Hatkanangle, except to attend the dates before the Trial Court;
- (iv) The applicant shall submit his residential address where he is going to reside after his release and his mobile number to the concerned officer of Shivaji Nagar Police Station.
- (v) The applicant shall attend the concerned Police Station within whose jurisdiction he is going to reside, once in a month i.e. on first Saturday between 11:00 a.m. to 2:00 p.m., till the conclusion of the trial;
- (vi) Application stands disposed of accordingly.

(N. R. BORKAR, J.)