

Ajay

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

CRIMINAL BAIL APPLICATION NO. 4677 OF 2024

Nitin Anandrao Avaghade

.. Applicant

Versus

The State of Maharashtra

.. Respondent

-
- Mr. Amrish R. Salunke, Advocate for Applicant.
 - Mr. Hitendra J. Dedhia, APP for Respondent – State.
-

CORAM : MILIND N. JADHAV, J.

DATE : FEBRUARY 12, 2025.

P.C.:

- 1.** Mentioned at the time of rising of the Court.
- 2.** Heard Mr. Salunke, learned Advocate for Applicant and Mr. Dedhia, learned APP for Respondent – State.
- 3.** Applicant is indicted for the offences punishable under Sections 302, 383, 201 and 120-B of the Indian Penal Code, 1860; Sections 3, 7, 25 and 27 of the Arms Act; Sections 37(1) and 135 of the Maharashtra Police Act, 1951 and Sections 3(1)(i), 3(2) and 3(4) of the Maharashtra Control of Organised Crime Act, 1999 and is incarcerated for almost 9 years and 4 months.
- 4.** Though charges under serious offences of MCOC Act are applied, still there is no justification for such long incarceration without charge being framed.

5. Learned Advocate informs the Court that the Affidavit-in-Reply has also not been filed.
6. Applicant is directed to immediately serve a copy of the Bail Application on the Respondent – State.
7. Mr. Dedhia, learned APP is directed to take immediate instructions and file Affidavit-in-Reply positively within a period of one week from today.
8. Stand over to **20th February 2025**. To be placed under the caption for **‘First on Board’**.

[MILIND N. JADHAV, J.]

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by AJAY
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