

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 4695 OF 2024

Suresh K. Hircude
V/s. ...Applicant
The State of Maharashtra ...Respondent.

Mr. Satyavrat Joshi for the Applicant.
Mr. P.H. Gaikwad, APP for the Respondent/State.

.....
CORAM : N.R. BORKAR, J.
DATE : 01.04.2025.

P.C. :

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No. 387 of 2021 registered at Jath Police Station, Sangli for the offences punishable under Sections 302, 452, 404, 143, 148, 149 of the Indian Penal Code and Section 4 read with 25 of the Indian Arms Act.
3. According to the prosecution, on the date of incident which took place on 26.07.2021, the present applicant and other co-accused assaulted the deceased by sword and sticks and committed his murder on account of previous dispute, which took place on 23.07.2021 between the deceased and the co-accused Vijay Karale.
4. I have heard the learned counsel for the applicant and the learned APP for the respondent - State.

5. The bail is sought on the ground of long incarceration as under-trial prisoner. The learned counsel for the applicant submits that the applicant is in jail for about 4 years & 8 months. It is submitted that except framing of charge, there is no progress in the trial. It is thus submitted that the application may be allowed.

6. On the other hand, learned APP for the respondent/State submits that this Court has, by order dated 28.11.2022, rejected the bail application filed by the applicant on merit. It is submitted that the Hon'ble Supreme Court by order dated 21.11.2023 has rejected the Petition for Special Leave to Appeal filed by the applicant against the order of this Court. It is submitted that the trial Court has already framed the charge against the present applicant. It is submitted that in absence of any change in circumstance, the present application may not be entertained.

7. This Court has already rejected the bail application on merits and the Hon'ble Supreme Court has confirmed the said order. The learned counsel for the applicant submits that the application was rejected more than two years back. However, considering the overall facts and circumstances and as the trial Court has already framed the charges, I am not inclined to entertain the present application. Hence, the Application is rejected. The trial Court shall however, endeavour to conclude the trial as early as possible.

[N.R.BORKAR, J.]