

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

BAIL APPLICATION NO. 4808 OF 2024

Bharat Pradip Solanki

...Applicant

Versus

The State of Maharashtra

...Respondent

- Mr. M. B. Shirsat, for Applicant.
- Mr. Y.Y. Dabke, APP for Respondent.
- API – Dhotre, DCB CID, AE Cell, Mumbai.

CORAM : MANISH PITALE, J.

DATE : 28th FEBRUARY, 2025

P. C. :

1. Heard learned counsel for the applicant and the learned APP for the respondent – State.

2. On 21st February, 2025, this Court had enquired from the learned APP as to what was the latest status of the trial pending against the applicant and co-accused persons.

3. The learned APP has received written instructions to state that the prosecution has already examined 18 witnesses and although the list of witnesses shows 79 witnesses to be examined by the prosecution, actually the prosecution would be examining only 15 more witnesses. It is further submitted that the trial is being conducted on weekly basis. The last date of listing was 21st February, 2025, and the next date is 03rd March, 2025. It is

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further brought to the notice of this Court that as per the extension of time granted for completion of trial, the concerned Court is directed to complete the trial by September, 2025.

4. As noted in the order dated 21st February, 2025, this is the third bail application of the applicant. The main ground on which the learned counsel for the applicant is pressing for relief is the aspect of long incarceration, as the applicant has undergone almost 7 years of imprisonment during pendency of the trial. It is submitted that a co-accused person was granted bail as far back as on 01st March, 2021, when Criminal Bail Application No.1884 of 2019, was allowed by a learned Single Judge of this Court.

5. There are total six accused persons in the present case. Serious offences of extortion and also offences under the provisions of the Maharashtra Control of Organized Crime Act, 1999, are registered against the accused persons in the present case. Only one accused person has been granted bail. The gang leader is still absconding and even charge-sheet could not be filed against him.

6. The allegations against the applicant are serious and it is recorded by the Sessions Court while rejecting the bail application of the applicant that during the course of investigation there were statements of witnesses to the

effect that the applicant, at the behest of the gang leader, was indulging in extortion. There is also recovery of a country made pistol with live cartridges from the applicant.

7. In such a situation, it would not be appropriate to show any indulgence to the application, particularly when the status of the trial has been brought to the notice of this Court and there is reasonable possibility of the trial itself being completed within the extended period of time granted by this Court.

8. In view of the above, the application is dismissed.

(MANISH PITALE, J.)