

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

BAIL APPLICATION NO. 4830 OF 2024

Shivaji Genubhau Salve	...Applicant
Versus	
The State of Maharashtra	...Respondent

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Mr. Narayan G. Rokade a/w Mr. Udaysingh Deshmukh, Mr. Siddharth Ghodke, Mr. Abhang Suryawanshi, Mr. amar Gujar, Mr. Vikrant Kadam and Mr. Harichandra Jadhav, Advocate for the Applicant.

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

Mr. S. N. Patil (PSI), Alephata Police Station, present.

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CORAM	:	N. R. BORKAR, J.
DATE	:	20th FEBRUARY, 2025.

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No.160 of 2018 registered at Alephata Police Station, District : Pune for the offences punishable under Section 302 of the Indian Penal Code (IPC).
3. I have heard the learned counsel for the applicant and the learned A.P.P. for the Respondent-State.

4. The learned counsel for the applicant has drawn my attention to the order passed by this Court dated 31st October 2023, in Criminal Bail Application No. 3324 of 2023. By the said order, this Court has rejected the application filed by the present applicant for bail. This Court however, directed to the Trial Court to conclude the trial within a period of of one year. And granted liberty to apply for bail, if there is no substantial progress in the trial. The learned counsel for the applicant submits that the applicant is in jail for six years and four months and inspite of the above order passed by this Court, there is no progress in the trial. It is submitted that the applicant therefore, be released on bail.

5. On the other hand, the learned A.P.P. for the Respondent-State submits that considering the nature of the offence this Court has rejected the bail application of the present applicant. It is submitted that there is no change in circumstance, therefore, the present application may not be entertained.

6. It is not disputed that even after passing of order by this Court to conclude the trial within a period of one year

there is no progress at all in the trial. The applicant is in jail for six years and four months. Considering the overall facts and circumstances, 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.160 of 2018 registered at Alephata Police Station, District : Pune for the offences punishable under Section 302 of the IPC on executing PR. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount;
- (iii) The applicant shall not enter in to the limits of Taluka Junnar District Pune, till conclusion of trial;
- (iv) The applicant shall attend the concerned Police Station within whose jurisdiction he is going to reside after his release, once in a month i.e. on 1st Saturday between 11:00 a.m. to 2:00 p.m. till conclusion of trial;
- (v) The applicant shall not tamper with the prosecution evidence;
- (vi) Application stands disposed of accordingly.

(N. R. BORKAR, J.)