

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

CRIMINAL BAIL APPLICATION NO. 4931 OF 2024

Ganesh Shankar Tangade ...Applicant

VERSUS

The State of Maharashtra ...Respondent

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Mr. Bhushan Raut, Advocate for the Applicant.

Mr. Vinod Chate A.P.P. for the Respondent – State.

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CORAM : N. R. BORKAR, J.
DATE : 13.03.2025.

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No. 32 of 2017 registered at Talegaon MIDC Police Station, Dist-Pune for the offences punishable under Sections 302 & 120 (B) r/w 34 of the Indian Penal Code and Sections 3(1) (i)(ii) & 3(4) of the Maharashtra Control of Organised Crime Act (MCOCA).
3. According to the prosecution the applicant is a member of organised crime syndicate formed by co-accused Akshay Mule. It is alleged that on the date of incident, which took place on 25.05.2017, the present applicant and other co-accused committed the murder of

the deceased as he was opposing their illegal activities.

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 more than seven and half years. It is submitted that though the trial has commenced, it is not likely to be concluded in the near future, as there are 82 witnesses. It is submitted that the applicant thus be released on bail.

6. On the other hand, the learned APP for the respondent-State submits that the trial has already commenced. It is submitted that the applicant is involved in eight more serious crimes. It is submitted that the applicant, therefore may not be released on bail.

7. It appears that the applicant is not the actual assailant. The applicant is in jail for seven and half years. Considering the overall facts and circumstances, I am inclined to release the applicant on bail. In the result, the following order is passed:

ORDER

A] The Application is allowed.

B] The applicant be released on bail in Crime No. 32 of 2017 registered at Talegaon MIDC Police Station, Dist-Pune for the offences punishable under Sections 302 & 120 (B) r/w 34 of the Indian Penal Code and

Sections 3(1) (i)(ii) & 3(4) of the Maharashtra Control of Organised Crime Act (MCOCA), on furnishing P.R Bond in the sum of Rs.25,000/- (Rupees Twenty Five Thousand) with one or two sureties in the like amount.

C] The applicant shall not enter into the limits of Pune district till conclusion of trial, except to attend the dates before the trial Court.

D] The applicant shall not commit any other crime.

E] Liberty to the prosecution to file an application for cancellation of bail, if the applicant commits breach of any of the aforesaid conditions.

8. Application stands disposed of accordingly.

(N. R. BORKAR, J.)