

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 years and Six months and the trial is still at the initial stage as the prosecution has till date examined only two witnesses. It is submitted that the case is based on circumstantial evidence.

6. On the other hand, the learned A.P.P. for the Respondent-State submits that the trial has commenced and at this stage the present application for bail may not be entertained.

7. The case is based on circumstantial evidence. Considering the fact that the applicant is in jail for more than Seven years and Six months, I am inclined to release him on bail. In the result, the following order is passed.

ORDER

- (i) Criminal Bail Application is allowed;
- (ii) The applicant is directed to be released on bail in connection with Crime No. 312 of 2017 registered at Bharti Vidyapeeth Police Station, District : Pune for the offences punishable under Sections 302, 201 r/w Section 34 of the Indian Penal Code on executing P.R. Bond in the sum of Rs.25,000/- with one or two sureties in the like amount;
- (iii) The applicant shall not enter into the corporation limits of Pune City except to attend the dates before the trial Court.
- (iv) The Application stands disposed of accordingly.

(N. R. BORKAR, J.)