

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.4998 OF 2024

Mangaldas Vitthalrao Bandal .. Applicant
Versus
Directorate of Enforcement and Anr. .. Respondents

WITH
BAIL APPLICATION NO.5366 OF 2024

Hanumant Sambhaji Kemdhare .. Applicant
Versus
Directorate of Enforcement and Anr. .. Respondents

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- Mr. Shailesh Kharat a/w. Mr. Tanmay Kate, Ms. Adity Saswade and Mr. Onkar Chaudhari for Applicant in Bail Application No.4998 of 2024.
- Mr. Hiten S. Venegavkar a/w. Ms. Diksha Ramnani, Special Counsel for Respondent No.1.
- Ms. Savita M. Yadav, APP for Respondent No.2 in Bail Application No.4998 of 2024.
- Mr. Akhilesh Dubey (appearing through Video Conferencing) a/w. Mr. Vagish Mishra, Mr. Amit Dubey, Mr. Varad Dubey, Mr. Shubham Sharma, Mr. Emad Khan, Mr. Alex D'Souza and Mr. Sahil Upadhyay, Advocates i/by Law Counsellors for Applicant in Bail Application No.5366 of 2024.
- Mr. Hitendra J. Dedhia, APP for Respondent No.2 in Bail Application No.5366 of 2024.

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CORAM : MILIND N. JADHAV, J.

DATE : MARCH 06, 2025

P.C.:

1. Heard Mr. Kharat, learned Advocate for Applicant Bail Application No.4998 of 2024; Mr. Venegavkar learned Special Counsel for Respondent No.1 in both Bail Applications; Ms. Yadav, learned APP

Respondent No.2 in Bail Application No.4998 of 2024; Mr. Dubey, learned Advocate appearing through Video Conferencing for Applicant in Bail Application No.5366 of 2024 and Mr. Dedhia, learned APP for Respondent No.2 in Bail Application No.5366 of 2024.

2. Issue in the present cases which appeal for consideration of bail is the long incarceration of Applicants in jail. According to Mr. Kharat, learned Advocate for Applicant though in the present offence registered by ECIR, Applicant has suffered incarceration for a period of 7 months only, but in the predicate offence, Applicant was already incarcerated since the date of initial arrest in that offence on 18.06.2021. Mr. Kharat would persuade me to consider the period of long incarceration of approximately 28 months. Mr. Dubey would submit that the Applicant in his case has suffered long incarceration for more than one and half years.

3. Learned Special Counsel for Respondent No.1 would persuade the Court to allow him to consider the submissions as also judgements which are sought to be relied upon to canvass the above proposition. I have informed him that I have also taken a similar view for considering the period of incarceration of the Accused persons in jail whenever the period in the current case is preceded by a period of incarceration in the predicate offence in continuity.

4. Since learned Special Counsel has requested me to allow him

to consider the judgements submitted by the learned Advocates for Applicants, list the present Bail Applications on 10th March, 2025 for further hearing. To be treated as '**Part-Heard**'.

H. H. SAWANT

Digitally signed
by HARSHADA
HANUMANT
SAWANT
Date:
2025.03.06
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[MILIND N. JADHAV, J.]