

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

CRIMINAL BAIL APPLICATION NO. 5175 OF 2024

Robinsan @ Robin Anthoni Lajras. ... Applicant.

Vs.

The State of Maharashtra ... Respondent.

Mr. Bhushan Raut, a/w. Mr. Vaibhav Lawande, Advocate for the Applicant.

Mr. Vinod Chate, APP for Respondent/State.

CORAM : ASHWIN D. BHOBE, J.

DATE : 20th JUNE, 2025

P.C. :

1. Heard Mr. Bhushan Raut, learned Advocate for the Applicant and Mr. Vinod Chate, learned APP for State.
2. By the present Application filed under section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (for short "BNSS"), the Applicant is seeking regular bail in Crime No. 34 of 2018 registered with Lashkar Police Station, Pune, for offences punishable under Sections 302 of the Indian Penal Code.
3. Applicant was arrested on 12th February, 2018 and since

then he is in custody. Bail Applications filed by the Applicant on earlier occasions have been rejected on merits.

4. Mr. Raut, learned Advocate for the Applicant states that the above said crime is registered as Sessions Case No. 380 of 2018 and the same is pending on the file of the learned Additional Sessions Judge, Pune. Mr. Raut states that the trial is still not concluded. He states that the trial is proceeding at very slow pace. He states that he has specific instructions from the Applicant to press into service the right of the Applicant to have speedy trial. He states that the Applicant has been incarcerated for last 7 years and 4 months. He states that the Applicant's aged mother is suffering from cancer and requires attention from the Applicant. He submits that he is the only family member for his mother. He submits that the Applicant was granted liberty by this Court in Criminal Bail Application No. 3434 of 2019, to canvass the grievance about delayed trial before the learned Sessions Court. He relies on the orders of this Court in the cases of *Vikas Chandrakant Patil v/s. State of Maharashtra*¹ and *Niklesh Prakash Patil v/s. State*

1 BA No. 1963 of 2025 dated 9th May, 2025.

*of Maharashtra*² in support of his submissions on grant of bail on ground of long incarceration.

5. Mr. Vinod Chate, learned APP submits that after framing of charge, nine prosecution witnesses have been examined in Sessions Case No. 380 of 2018. He submits that Prosecution intends to examine more witnesses, which includes the Investigating Officer. He does not dispute that the Applicant is in custody for last 7 years and 10 months as stated by Mr. Raut, learned Advocate for the Applicant.

6. Applicant has been incarcerated since the year 2018. Taking note of the fact that the trial is still in progress and there are further witnesses to be examined as stated by the learned APP, the Applicant is justified in pressing into service Applicant's right to be enlarged on bail, as he cannot continue to be incarcerated as an under-trial prisoner indefinitely. Applicant has been incarcerated for 7 years and 10 months. Trial is likely to take long time.

7. It is on the ground of long incarceration and considering

2 BA No. 1208 of 2025 dated 9th May, 2025.

the law on long incarceration and delay in conclusion of trial, that prayer of the Applicant is being entertained.

8. Bail Application is allowed on the following conditions :

(a) Applicant be released on bail in Crime No. 34 of 2018 registered with Lashkar Police Station, Pune upon furnishing P.R. Bond in the sum of Rs. 25,000/- with one or two sureties in the like amount to the satisfaction of learned Additional Sessions Judge, Pune.

(b) Applicant shall regularly appear before the learned Additional Sessions Judge, Pune as and when the date in Sessions Case No. 380 of 2018 is fixed, unless exempted by the Court.

(c) Applicant shall not influence or interfere with witnesses or tamper with the evidence.

(d) Applicant upon release, within 3 days shall furnish his residential addresses with proof and contact details to the Investigating Officer, Lashkar Police Station, Pune.

9. Criminal Bail Application No. 5175 of 2024 is disposed of.

(ASHWIN D. BHOBE, J.)