

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

CRIMINAL BAIL APPLICATION NO. 488 OF 2025

Sachin Bhagwan Waghmare

...Applicant

VERSUS

The State of Maharashtra

...Respondent

....

Mr. Priyal Sarda a/w Ms. Seema Dighe, Mr. Shubham Sane &
Mr. Rajesh R., Advocate for the Applicant.

Mr. T. G. Khan, A.P.P. for the Respondent – State.

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CORAM : N. R. BORKAR, J.
DATE : 19.03.2025.

P.C.:

1. This is an application for regular bail.
2. The applicant came to be arrested in Crime No. 244 of 2018 registered at Pandharpur City Police Station, Dist-Solapur for the offences punishable under Sections 302, 303, 120(B), 201, 143, 147, 148, 149 of the Indian Penal Code under Sections 3, 4, 25, 5 & 27 of the Arms Act, r/w Section 135 of the Maharashtra Police Act and under Sections 3(1)(i), 3(1)(ii), 3(2) & 3(4) of the Maharashtra Control of Organised Crime Act.
3. According to the prosecution the present applicant is a member of organised crime syndicate formed by co-accused Gopal Ankushrao. It is alleged that the deceased

who was the member of municipal council, Pandharpur was protecting the businessman and other people from the illegal activities of the co-accused Gopal Ankushrao and other members of his gang. It is alleged that they were thus annoyed with the deceased and thus on the date of incident which took place on 18.03.2018, they committed his murder.

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 seven years and the trial is still at the stage of framing of charge. It is submitted that there are in all 122 witnesses and thus trial is not likely to be concluded in near future. It is submitted that there are no other criminal antecedents against the applicant.

6. On the other hand, the learned APP for the respondent/State submits that the applicant is a member of organised crime syndicate and is involved in the serious offence of murder. It is submitted that considering the nature of offence the applicant may not be released on bail.

7. The fact that the applicant is in jail for seven years and the trial is still at the stage of framing of charge is not disputed. There are no other criminal antecedents against the applicant.

8. Considering the overall facts and circumstances of the case, 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. 244 of 2018 registered at Pandharpur City Police Station, Dist-Solapur for the offences punishable under Sections 302, 303, 120(B), 201, 143, 147, 148, 149 of the Indian Penal Code under Sections 3, 4, 25, 5 & 27 of the Arms Act, r/w Section 135 of the Maharashtra Police Act and under Sections 3(1)(i), 3(1)(ii), 3(2) & 3(4) of the Maharashtra Control of Organised Crime Act, 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 attend the concerned police station once in a month, i.e., on first Saturday between 11:00 am to 2:00 pm, till conclusion of the trial.

9. Application stands disposed of accordingly.

(N. R. BORKAR, J.)