

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

**INTERIM APPLICATION NO. 386 OF 2025
IN
CRIMINAL APPEAL NO. 490 OF 2021**

Dada Digambar Lendve and anr. v/s. The State of Maharashtra	 Applicants Respondent
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Mr. Sachin Pawar for the Appellants/Applicants in APEAL/490/2021.
Ms. Priyanka Rane, APP for the State.

**CORAM: SARANG V. KOTWAL AND
SHYAM C. CHANDAK, JJ.**

DATED : 11th JUNE, 2025

P. C. :-

- 1) This is an Application for bail pending Criminal Appeal No.490 of 2021.
- 2) The Original Accused No.1-Dada Digambar Lendve is in custody for more than 13 years. Therefore, it is necessary that this Bail Application is at least heard at the earliest. However, the previous record shows that on 30/01/2025, costs of Rs.10,000/- was directed to be deposited by the Applicants and subject to the payment of costs, the matter was directed to be listed on 25/02/2025.
- 3) Learned Counsel for the Applicants submitted that the Applicant No.1/Original Accused No.1 is in custody for 13 years. He is

absolutely not in a position to pay costs. He submitted that considering this long period of 13 years, sympathy may be shown to him. He submitted that his Bail Application be considered and the directions to deposit the costs of Rs.10,000/- be dispensed with.

- 4) Learned APP left this question to the discretion of this Court.
- 5) We have considered the situation. It is really unfortunate that the Applicant No.1 is in custody for 13 years and the Appeal could not be taken up for final disposal. This certainly is not the fault of the Applicant No.1 and therefore, we are inclined to show sympathy to the Applicant No.1 as far as directions to make the payment of Rs.10,000/- by way of costs is concerned. The said Order was passed on 30/01/2025. After that, about five months have passed and the Applicant genuinely was not in a position to arrange for that money. Considering this situation, the following Order is passed :-

- O R D E R -

- (a) The direction to deposit Rs.10,000/- by way of costs vide Order dated 30/01/2025, is dispensed with.
- 6) The Application shall be listed for consideration of bail on 16/06/2025.

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(SHYAM C. CHANDAK, J.)

(SARANG V. KOTWAL, J.)