HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.4195 OF 2025

Santosh Sunil Jadhav .. Applicant

Versus

The State of Maharashtra .. Respondent

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- Mr. Amolkumar Jadhav a/w. Mr. Dinesh Jadhav, Mr. Jeetu Joshi and Mr. Amit Shinde, Advocates for Applicant.
- Ms. Sangeeta E. Phad, APP for Respondent.

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CORAM : MILIND N. JADHAV, J.

DATE : OCTOBER 13, 2026

P.C.:

1. Heard Mr. Jadhav, learned Advocate for Applicant and Ms. Phad, learned APP for Respondent.

2. This is an Application under Section 483 of Bharatiya Nagarik Suraksha Sanhita, 2023 seeking Bail in connection with C.R. No.459 of 2021 registered with Manchar Police Sation for offences punishable under Sections 302, 120B and 34 of the Indian Penal Code, 1860; Sections 3, 25 and 27 of the Arms Act, 1959 and under Sections 3(1)(i)(ii), 3(2) and 3(4) of the Maharashtra Control of Organised Crime Act, 1999 (for short '**MCOC Act**')

3. The Applicant is indicted with some 13 other persons in an offence for committing the murder. Provisions under MCOC Act have been applied against Applicant. The only reason which impels me to step in and consider the case of the Applicant for grant of bail is his

long incarceration pending trial for over 4 years 4 months 1 day and charge has also not been framed till date.

4. In that view of the matter, the trial is not commenced or for that matter the trial being completed in the near foreseeable future being extremely bleak, I am inclined to consider the case of the Applicant for grant of bail on the ground of long incarceration pending trial.

5. Considering case of Applicant's entitlement for grant of bail in view of right to speedy trial, as enshrined under Article 21 of the Constitution Applicant is granted bail subject to following conditions:-

(i) Applicant is directed to be immediately released from prison in connection with Crime No. 459 of 2021;

(ii) Applicant is directed to be released on bail on furnishing P.R. Bond of Rs. 25,000/- (Rs. Twenty Five Thousand only) with one or two surety / sureties of the like amount;

(iii) Applicant shall report to the Investigating Officer at the concerned Police Station, once every month on the first Monday of the month between 10:00 a.m. to 12:00 p.m.;

(iv) Applicant shall co-operate with the conduct of trial and attend the Trial Court on all dates, unless specifically

exempted and will not take any unnecessary adjournments, if he does so it will entitle the prosecution to apply for revocation of this order;

(v) Applicant shall not leave the State of Maharashtra without prior permission of the Trial Court;

(vi) Applicant shall not influence any of the witnesses or tamper with the evidence in any manner;

(vii) Applicant shall keep the Investigating Officer informed of his current address and mobile contact number and / or change of residence or mobile details, if any, from time to time, as applicable; and

(viii) Any infraction of the conditions shall entail cancellation of bail granted to the Applicant.

6. It is clarified that the observations made in this order are limited for the purpose of granting Bail only and I have not made any observations on merits of the case. The trial shall be adjudicated on the strength of the evidence led and strictly on its own merits being uninfluenced with any of the *prima facie* observations made hereinabove in this order.

7. Bail Application is allowed and disposed of in the above terms.

H. H. SAWANT

[MILIND N. JADHAV, J.]

HARSHADA HANUMANT SAWANT
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