

Navnath Waghmare (RA)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO. 2372 OF 2025

WITH

CRIMINAL BAIL APPLICATION NO. 2333 OF 2025

Ankush @ Akash @ Mahendrapratap Singh ...Appellant

Versus

State of Maharashtra ...Respondent

Mr. Kunal Aher a/w Gaurish Satpute for the Applicant.
Ms. Rajeshree Nutan APP for the Respondent-State
Ambernath PS. API, Police Station Byculla,

CORAM: R. M. JOSHI, J.

DATED: 04th MARCH, 2026

PC:-

1. The Applicant seeks bail in connection with CR No.567 of 2020 registered with Ambernath Police Station for the offences punishable under Sections 307, 392, 353, 34 of IPC and U/s 4 and 25 of the Arms Act,

2. Learned counsel for the applicant submits that an order came to be passed by this Court on 19.03.2024, in Bail application no.2876 of 2022 expediting trial, however in spite of said direction trial has not even commenced after framing of charge in the year

2024. It is his submission that for more than 5 and half years appellant is in jail and there is no possibility of trial being concluded in reasonable period of time, applicant be granted bail.

3. Learned APP opposed the applications firstly on the ground that the offences are serious in nature and there are 7 antecedents against the applicant.

4. There cannot be any dispute made with regard to the fact that the applicant was arrested on 14.11.2020. Further, inspite of order passed by this court, trial is not concluded till this time. Though the charge has been framed on 23.01.2024, not a single witness has been examined by the prosecution till date. Though, learned counsel for the APP seeks to argue that for non-availability of the co-accused trial cannot be commenced, this however cannot become a ground to deny trial to present applicant who is in jail. In any case since the appellant is behind the bar for over a period of 5 and half years, and as there is no chance of in conclusion of trial in short period of time, this Court find it appropriate to enlarge applicant on bail.

5. In order to ensure that the applicant would be available and attends the proceeding of trial appropriate condition can be imposed.

6. Hence, following order.

ORDER

- i) The application stands allowed.
- ii) Applicant is enlarged on bail in connection CR. No. 567 of 2020 registered with Ambernath Police Station, appellant be enlarged on bail on furnishing PR Bond of Rs. 30,000/- with one and two surety in the like amount, to the satisfaction of the Trial Court.
- iii) Applicant is directed to mark his presence before the Ambernath Police Station once in a fortnight.
- iv) Applicant to appear on each date of hearing before the Trial Court, till the conclusion of trial, unless trial court by specific order exempts his presence.
- v) Failure to comply with the aforesaid condition shall result into forthwith cancellation of the bail.

(R. M. JOSHI, J.)