

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 4856 OF 2025

Sayman @ Papa Patric Manwel

... Applicant

V/s.

The State of Maharashtra

... Respondents

Mr. Aniket Vagal a/w Savvy Kolhekar & Juhi Kadu, for the Applicants.

Mr. Tanveer Khan, APP for Respondent - State.

PSI Amol Gaidhani, Igatpuri Police Station, Nashik Rural, is present.

CORAM : ASHWIN D. BHOBE, J.

DATE : 12th FEBRUARY, 2026.

P.C. :

1. By the present Criminal Bail Application, the Applicant is seeking bail in Crime No. 101 of 2020 registered with Igatpuri Police Station, Nashik Rural for the offenses punishable under Sections 302, 120B, 34, of Indian Penal Code and 3(1)(ii), 3(2), 3(4) of the Maharashtra Control of Organized Crime Act, 1999. Said crime is registered as Sessions Case No. 424 of 2021 and is pending on the file of the learned Additional Sessions Judge,

Nashik.

2. There are 7 accused in the crime and the Applicant is Accused No. 1.

3. FIR is lodged at the instance of Mr. Sandip Dattatray Patil. Case of the prosecution is that Mr. Sanjay Baban Dhamne, (Deceased) had a dispute with Accused Nos. 1 and 2. Out of the said enmity, the offense is said to have been committed by the Applicant and all the Accused named in the said Crime.

4. Accused was arrested on 21st December, 2020. Bail Application at Exhibit 32, (page nos. 644 to 646 of the paper book) filed by the Applicant in Sessions case No. 424 of 2021 was rejected by the Additional Sessions Judge, Nashik on 23rd February, 2021. Second Bail Application filed by the Applicant at Exhibit 52 (page nos. 647 and 648 of the paper book) in the said Sessions Case No. 424 of 2021 was rejected on 2nd March, 2023. Criminal Bail Application No. 4718 of 2024 filed by the Applicant before this Court was disposed of as withdrawn on 30th July, 2025.

5. Mr. Aniket Vagal, learned Advocate Applicant submits that the Applicant is restricting the bail on the limited ground of the Applicant being incarcerated for more than 5 years and charge in Sessions Case No. 424 of 2021 not being framed till date.

6. Mr. Tanveer Khan, learned APP for the State does not dispute the factual situation viz the Applicant being arrested on 21th December, 2020, Applicant being in jail since then, and the charge in Sessions Case No. 424 of 2021 not being framed as on date. He states that the said factual situation is based on the instructions received from the Investigation Officer. Mr. Amol Gaidhani who is present in Court.

7. The Hon'ble Supreme Court in the case of Siddhant alias Sidharth Balu Taktode v. State of Maharashtra And Anr in Paragraph No. 10 has observed as follows:

The material placed on record would reveal that for a period of the last six years, out of 102 dates, the accused has not been produced before the Court either physically or through virtual mode on most of the dates. On the last date, we had put a query to the learned counsel appearing for the State as to why the

charges were not framed as of date in this case. Shri Kilor fairly states that the charges have not been framed in the cases which are registered prior to the registration of the present case. We may say with anguish that this is a very sorry state of affairs. If an accused is incarcerated for a period of approximately five years without even framing of charges, leave aside the right of speedy trial being affected, it would amount to imposing sentence without trial. In our view, such a prolonged delay is also not in the interest of the rights of the victim.

8. Indisputably, the Applicant is incarcerated for a period of more than 5 years without even framing of charge. The decision in the case of Siddhant alias Sidharth Balu Taktode (*supra*) would be applicable to the case in hand.

9. In view of the aforesaid facts, this Court is compelled to enlarge the Applicant on bail on the sole ground of his long incarceration and charge not being framed for more than 5 years. This Application is therefore allowed on the following terms:

(a) Applicant is directed to be released on bail in

connection with Crime No. 101 of 2020, registered with Igatpuri Police Station, Nashik Rural, upon furnishing P.R. (indemnity) Bond in the sum of Rs. 1,00,000/- with two local sureties of the like amount, to the satisfaction of the Additional Sessions Judge, Nashik.

(b) Applicant shall report to the Investigation Officer, Igatpuri Police Station, Nashik once in a month i.e. on the second Saturday of each month from 10:00 a.m. to 1:00 p.m., till further order in Sessions Case No. 424 of 2021.

(c) Applicant shall not directly or indirectly make any inducement, threat or promise to any person acquainted with facts of the case so as to dissuade such person from disclosing the facts to the Court or any police officer and should not tamper with evidence

(d) Applicant upon release, within 3 days shall furnish to the Investigating Officer, Igatpuri Police Station, Nashik Rural, his residential addresses with proof and the contact numbers and to keep the Investigation Officer intimated

about the change in the same from time to time.

(e) Applicant shall surrender his passport, if any, within 7 days of his release.

(f) Applicant shall not leave the State of Maharashtra without prior written permission from the Investigation Officer, Igatpuri Police Station, Nashik.

(g) Applicant shall attend each and every date of hearing before the Trial Court, Sessions Case No. 424 of 2021, unless specifically exempted from appearance.

10. Criminal Bail Application No. 4856 of 2025 is disposed off in the above said terms.

(ASHWIN D. BHOBE, J.)