

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

INTERIM APPLICATION NO.4753 OF 2025

IN

CRIMINAL APPEAL NO.1191 OF 2025

Sham Chandrakant Jagtap

... Applicant

Vs.

State of Maharashtra

... Respondent

WITH

INTERIM APPLICATION NO.70 OF 2026

IN

CRIMINAL APPEAL NO.31 OF 2025

Anil Laxman Sapkal and

Amar Dinkar Shevale

... Applicants

Vs.

State of Maharashtra and another

... Respondents

Mr. Sudeep Pasbola, Senior Advocate a/w. Mr. Chinmay Godse, Mr. Rajan Gurnani, Mr. Nagraj Tarade and Ms. Janki Patil for Applicant in IA/4753/2025.

Mr. Satyam Harshad Nimbalkar a/w. Mr. Abhishek Ulhas Arote and Mr. Harshwardhan Milind Pawar i/b. Mr. Yash Vishal Saxena for Applicant in IA/70/2026.

**CORAM : MANISH PITALE &
SHREERAM V. SHIRSAT, JJ.**

DATE : FEBRUARY 10, 2026

P.C. :

. By these applications, the applicants (original appellants) are seeking bail primarily on the ground of having suffered incarceration beyond a period of 10 years. Reliance is placed on judgement of the Supreme Court in the case of *Saudan Singh Vs. State of Uttar Pradesh*, (2023) 17 SCC 446. It is further submitted that a Co-ordinate Bench of this Court granted bail to the two co-accused persons i.e. Amol Narayan

Shinde and Prakashsing Chandrasingh Bais, only on the ground of having suffered imprisonment for a period of more than ten years and by relying upon the judgement of the Supreme Court in the case of **Saudan Singh Vs. State of Uttar Pradesh** (*supra*), as also *Suleman Vs. State of Uttar Pradesh* (order dated **15.09.2022** passed in **Miscellaneous Application No.764 of 2022**).

2. The learned AGP has tendered certificates issued by the jailer with respect to the actual period of imprisonment undergone by the three applicants. The copies of certificates are taken on record. We find that the applicants have suffered actual imprisonment as follows:-

Name of the Applicant	Actual imprisonment as on 31.01.2026
Sham Chandrakant Jagtap	11 years, 7 months and 5 days.
Anil Laxman Sapkal	10 years, 5 months and 5 days
Amar Dinkar Shevale	10 years, 2 months and 22 days

3. It is evident that all the three applicants have suffered actual imprisonment for a period of more than 10 years. In terms of the categorization specified by the Supreme Court in the case of **Saudan Singh Vs. State of Uttar Pradesh** (*supra*) since the applicants have served more than 10 years of actual sentence, they can be granted bail, except if this Court finds any extenuating circumstances against the applicants. It is not pointed out to us that any of the applicants have any criminal antecedents or that there are any extenuating circumstances to deny the benefit of the said judgement of the Supreme Court.

4. Apart from this, as noted hereinabove, the co-accused persons were granted bail on the same ground by the Co-ordinate Bench of this Court by an order dated 04.12.2025 passed in Interim Application No.672 of 2025 in Criminal Appeal No.31 of 2025. Hence, we are inclined to allow both the applications and as a consequence, all the

three applicants are found to be entitled to be released on bail during the pendency of their appeals.

5. In view of the above, the applications are allowed in the following terms:-

- i) During the pendency of appeals preferred by the applicants, the substantive sentence imposed upon the applicants vide judgement and order dated 16.11.2024 passed by the learned Sessions Judge, Pune in Sessions Case No.182 of 2015, is suspended and the applicants be released on bail on their furnishing P.R.Bond in the sum of Rs.50,000/- each with one or two local sureties in the like amount;
- ii) Before their release from jail, the applicants shall give their prospective residential addresses and the mobile and / or landline numbers on which they or their any close relative can be contacted;
- iii) After their release from jail, the applicants shall attend Nigdi Police Station, Pune, on every first Monday of each month between 10:00 a.m. and 12 noon initially for a period of one year and thereafter on every first Monday of every third calendar month between 10:00 a.m. and 12 noon i.e. four times in a year till the disposal of their respective appeals;
- iv) In case of two consecutive defaults in complying with the aforesaid conditions, the prosecution is at liberty to file an application for cancellation of bail.

6. Interim applications are disposed of accordingly.

(SHREERAM V. SHIRSAT, J.)

(MANISH PITALE, J.)