

Prasad

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.2788 OF 2025

Sandeep Vishwanath Sharma

...Applicant

Versus

State of Maharashtra

...Respondent

Mr. Kunal Aher Aher a/w Mr. Gaurish Satpute and Lahu Gholap,
for the Applicant.

Mr. A.S. Gawai, APP for the Respondent - State.

CORAM: R. M. JOSHI, J.

DATED: 9th APRIL, 2026.

PC:-

1. The Applicant seeks his enlargement on bail on the ground of long incarceration in connection with CR No.420 of 2017 dated 28th December 2017, registered with Vitthalwadi Police Station, Dist. Thane, for the offence punishable under Sections 302, 307 and 504 of the Indian Penal Code, 1860.

2. Learned counsel for the Applicant submits that the Applicant was arrested on 22nd January 2018, whereas the charge has been framed on 30th December 2021. It is his further submission that the alleged eye-witness to the incident has not been examined till date. He therefore submits that there is no possibility of conclusion of trial within a reasonable period of time. He therefore seeks bail on the ground of long incarceration of the Applicant. According to him, the Applicant is not likely to flee from justice as he has no criminal history behind him.

3. Learned APP though opposes the application, on instructions, makes a statement that the eye witness to the incident is not traceable and therefore no concrete statement can be made within how much time the witness would be examined before the Trial Court.

4. The aforestated submission indicates that the trial is not likely to get over in a reasonable period of time. The Applicant is in jail since January, 2018. Hence, on the ground of long incarceration the Applicant is entitled for bail. Hence, following order is passed.

ORDER

- i) The Bail Application stands allowed.
- ii) In connection with CR No.420 of 2017 registered with Vitthalwadi Police Station, the Applicant be released on bail on furnishing PR Bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand Only) with one local surety in the like amount to the satisfaction of the Trial Court.
- iii) The Applicant shall attend all dates of hearing before the Trial Court unless exempted.
- iv) The Applicant shall not tamper with or interfere with the prosecution evidence in any manner whatsoever.

5. It is made clear that the observations made herein are *prima facie* and are confined to this Application and the learned Trial Judge to decide the case on its own merits, uninfluenced by the observations made herein.

(R. M. JOSHI, J.)