

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. OF 2021
(Arising out of SLP (Criminal) No.3417 of 2021)

MUNJAJI @ PINTU

Appellant

VERSUS

STATE OF MAHARASHTRA

Respondent

O R D E R

Leave granted.

This appeal challenges the order dated 11.01.2021 passed by the High Court of Judicature at Bombay, Bench at Aurangabad, rejecting Bail Application No.1253 of 2020.

The appellant alongwith co-accused is facing prosecution in Sessions Trial No.32 of 2015, in connection with crime registered pursuant to CR No.215/2015, with Police Station Gangakhed, District Parbhani, for the offences punishable under Sections 302, 364, 143, 147, 148, 149, 109 and 201 IPC, and he has been in custody since 21.02.2016.

We have heard Mr. Sudhanshu S. Choudhari, learned Advocate for the appellant and Mr. Sachin Patil, learned Advocate for the State. With their assistance, we have gone through the documents on record.

According to the allegations made in the First Information Report, the assertions against the appellant and the co-accused are omnibus in nature. It is a matter of record that except the appellant, all the co-accused are on bail subject to condition that the concerned accused shall not enter the area of Gangakhed Taluka, District Parbhani, except for the purpose of attending the pending trial/proceedings.

In our view, the appellant is entitled to the relief of bail pending trial/proceedings.

We, therefore, allow this appeal and while setting-aside the order passed by the High Court, direct that (i) the appellant shall be produced before the concerned Trial Court within three days from today; and (ii) the Trial Court shall release the appellant on bail, subject to such conditions as the Trial Court may deem appropriate to impose including the condition that the appellant shall not enter Gangakhed Taluka, District Parbhani, except for the purpose of attending the pending trial/proceedings.

With the aforesaid observations, the appeal is allowed.

.....J.
[UDAY UMESH LALIT]

.....J.
[B.R. GAVAI]

NEW DELHI;
MAY 11, 2020.

