

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO.1548 OF 2017

Shri. Santosh Yadav Sankhe Applicant

Vs.

The State of Maharashtra Respondent

Mr. A.P. Mundargi, Senior Counsel i/by Mr. Hrishikesh Mundargi for
the Applicant.

Mrs. P.P. Shinde, APP for the State-respondent.

Coram : Smt. Sadhana S. Jadhav, J.

Date : 19th December, 2017

P.C.:

1 Learned Senior Counsel appearing for the applicant, upon instructions, seeks liberty to withdraw the application since the charge is framed. It can be said that the trial has commenced. This is a peculiar case, which rests on circumstantial evidence. The co-accused has been enlarged on bail by this court. As far as the present applicant is concerned, it is true that the applicant was not last seen in the company of the deceased or in the company of the co-accused. However, since the charge is framed and the trial would not take a long time, this court is inclined to dispose of the application with a

direction that the Sessions Judge, Palghar seized with Sessions Case No.90 of 2015 shall make every endeavour to conclude the recording of evidence as far as possible by 30th April, 2018.

2 It is made clear that the observations made in the order dated 20th March, 2017 while hearing the Criminal Bail Application No.2597 of 2016 are restricted to an application under Section 439 Cr.P.C. and the learned Sessions Judge shall not be influenced by the same at the time of trial.

(Smt. Sadhana S. Jadhav, J)