

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.3036 OF 2017

Kailas Ram Bhokase Applicant

Vs.

The State of Maharashtra Respondent

Mr. Veerdhaval Kakade for the Applicant
Mr. Ajay Patil, APP for the State-Respondent.

Coram : Smt. Sadhana S. Jadhav, J.
Date : 4th January, 2018

P.C.:

1 Learned APP waives service. Learned counsel for the applicant fairly submits that the trial in Sessions Case No. 29 of 2015 has commenced and the prosecution has examined five witnesses till this date. It is also submitted that it is a case of direct evidence and the deposition of the solitary eye witness has been recorded. However, the learned counsel submits that since 13th February 2017, only one witness has been examined by the reasons best known to the prosecution. It is, in these circumstances, it would not be appropriate to consider an application under Section 439 Cr.P.C. in the midst of the trial.

2 The learned Sessions Judge at Khed-Rajgurunagar seized with Sessions Case No. 29 of 2015 shall expedite the trial. It would not be fair that since last almost 11 months, only one witness has been examined. The learned Sessions Judge seized with Sessions Case No. 29 of 2015 is therefore requested to expedite the trial and conclude the recording of evidence as far as possible by 31st May, 2018.

3 The application stands disposed of with the above directions. Office to communicate this order to the learned Sessions Court at Khed Rajgurunagar.

(Smt. Sadhana S. Jadhav, J)