

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.3380 OF 2019**

Rajkumar Ratila Ahire .. Applicant

Vs.

The State of Maharashtra .. Respondent

...

Mr. Satyavrat Joshi for the Applicant.

Ms. S.S. Kaushik, A.P.P. for the State.

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CORAM : SMT. BHARATI DANGRE, J.

DATED : 17TH MARCH, 2021.

P.C:-

1. The Applicant seeks his release on bail in C.R. No.42 of 2017, subsequent to which he was charge-sheeted for the offences punishable under Sections 302 and 201 of the IPC. The bail is sought on the ground that there is no incriminating material against the present Applicant and also on the ground that the trial is not likely to conclude in the near future and since the Applicant is in custody for more than two years, he needs to be released on bail.

2. Learned A.P.P. opposing the Application states that the trial in the said case is already begun and examination of one of the witnesses is over and the second witness is already in the dock. She states that as per the charge-sheet, though the number of witnesses cited by the prosecution is 32, it is not necessary that all of these persons will be examined as prosecution witnesses. Considering the said position, since the trial has already commenced, the Application does not deserve consideration at this stage. However, the trial which has already commenced, if not concluded till the end of December, 2021, liberty is granted to the Applicant to move a fresh Application before the Sessions Court seeking his release on bail.

3. The Application is disposed of in the aforestated terms.

SMT. BHARATI DANGRE, J.