

**IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD**

**BAIL APPLICATION NO. 1442 OF 2020
WITH
CRIMINAL APPLICATION NO. 2201 OF 2020**

Jameel Khan Hussain Khan	... Applicant
Versus	
The State of Maharashtra	... Respondent

....
Mr. M. A. Latif, Advocate for applicant
Mrs. D. S. Jape, APP for respondent - State
....

**CORAM : R. G. AVACHAT, J.
DATED : 22nd MARCH, 2022**

PER COURT :-

. Heard.

2. The applicant is said to be prosecuted for having committed offence of murder. He is said to have been behind the bars close to three years. The charge has not yet been framed. According to the learned Counsel for the applicant, there was no motive for the offence in question. The applicant has five minor school going children. The police papers cannot be looked into at this stage. Fair trial and speedy trial is right of the applicant – accused. Unless he is on bail, he is unable to prepare for his defense effectively.

3. The submissions made by the learned Counsel cannot be disputed. The fact is however that there are five eye witnesses to the incident. In such a case, motive has no role to play. The applicant had assaulted the deceased on neck with knife. Even he did not let the knife to be removed. In such circumstances, the applicant does not deserve to be enlarged on bail.

4. For the present, the trial Court is directed to frame the charge within a period of two months from the date of receipt of copy of this order and conclude trial at the earliest preferably within a period of eight months thereafter. In case, the trial could not be concluded within a period of a year, the applicant may revive his claim for bail.

5. The bail application is disposed of.

6. The application for provisional bail on account of COVID-19 also stands disposed of.

[R. G. AVACHAT, J.]