

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 3593 OF 2021**

Kailas Daggu Salave ...Applicant

Versus

The State of Maharashtra ...Respondent

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Mr. Vijay Killedar for the Applicant.
Ms. M. M. Deshmukh, APP for the State.

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CORAM : N.R. BORKAR, J.
DATED : 9 NOVEMBER 2022

P.C. :-

This is an application under Section 439 of Code of Criminal Procedure for bail.

2. I have heard the learned counsel for the applicant and the learned APP for the respondent-State.

3. The learned counsel for the applicant submits that the applicant is in jail since last eight years. It is submitted that even if the case of the prosecution is accepted as it is, it would not constitute the offence punishable under Section 302 of Indian Penal Code.

4. I have perused the order passed by the learned Sessions Court

dated 12.06.2020 below Exhibit-40 in Sessions Case No. 1 of 2015. It appears from the said order that the trial is part heard. Considering the fact that the trial is part heard, it would not be appropriate to entertain the present application.

5. Considering the fact that the applicant is in jail for more than eight years the trial court shall endeavour to conclude the trial as early as possible and in any case within a period of three months from the date of receipt of copy of this order.

6. The application is disposed of.

(N.R. BORKAR, J.)