

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

15 BAIL APPLICATION NO.1123 OF 2023

DATTAPRASAD @ DATTA S/O CHANDRAKANT BIRADAR
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicants : Mr. Ghanekar Nilesh S.
APP for Respondent-State : Mr. K. S. Patil.
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CORAM : S. G. MEHARE, J.
DATE : 07.08.2023

PER COURT :-

1. Heard the learned counsel for the applicant and learned APP for the respondent-State.
2. The applicant is seeking bail mainly on two grounds by the successive bail application that there is no material progress in the trial and he is suffering from continuous illness.
3. Learned APP would point out that the learned Additional Sessions Judge while rejecting his bail application, has specifically observed that the applicant is not ready to get the trial dispose of though charge has been framed and he is interested in getting the bail only. He also argued that the applicant has no such medical issues that require the treatment outside the Jail with the help of attendant.

4. The Court has gone through the orders passed by the learned Additional Sessions Judge. His earlier bail application was decided by this Court on merit. The charge has been framed. The observations of the learned Additional Sessions Judge are very specific about the conduct of the applicant. He seems to be not interested in proceeding with the trial and filing bail application successively. The conduct of the applicant establishes that he is searching for the grounds to seek the bail. Quick disposal of the trial always depend upon the co-operation of the accused, his lawyer and the prosecution. If the parties to the proceedings do not co-operate, the Court cannot be blamed for delayed trial. Hence, the Court expressed disinclination to grant the bail.

5. The learned counsel for the applicant, on instructions, seeks leave to withdraw the bail application.

6. Leave granted to withdraw the bail application.

7. Bail application stands dismissed as withdrawn.

(S. G. MEHARE, J.)

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vmk/-