

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

BAIL APPLICATION NO.1782 OF 2022

**SANTOSH SUKHDEO WAIKAR
VERSUS
THE STATE OF MAHARASHTRA**

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Advocate for Applicant : Mr. M. L. Wankhade
APP for Respondents: Mr. K. S. Patil

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CORAM : S. G. MEHARE, J.

DATE : 15.02.2023

PER COURT :

1. Heard the learned counsel for the applicant and the learned A.P.P. for the State.

2. Perused the status report of the Sessions case No. 190 of 2019. It appears that the charge sheet against the applicant was filed in the year 2015. After four years the case was committed to the Sessions Court. The reason for pendency has been mentioned that due to Covid-19 pandemic there could be no progress in the trial. The report reveals that since 2015, there is no material progress in the trial. Some of the accused were absent and appeared for cancellation of non-bailable warrant. The applicant is behind bar for about seven years without material progress in the trial. Therefore, he deserves

bail. Hence, the following order.

- (i) The application is allowed.
- (ii) Applicant Santosh Sukhdeo Waikar, be released on bail, on executing P.B. and S.B. of Rs.50,000/- with one solvent surety in the like amount, in FIR bearing Crime No. I-36/2014 registered with Shirdi Police Station, District Ahmednagar, for the offences punishable under Sections 307, 120-B read with 34 of the Indian Penal Code and read with Section 3/25 of Arms Act on the conditions that
 - (a) The applicant shall attend the trial on each effective date.
 - (b) The learned Sessions Judge is directed to conduct the trial day to day basis and take an appropriate decision if the co-accused are continuously absent.

(S. G. MEHARE)
JUDGE