



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

**BAIL APPLICATION NO.1383 OF 2023
(THROUGH JAIL)**

TEJBAHADUR DAYARAM BIND	..APPLICANT
VS.	
THE STATE OF MAHARASHTRA	..RESPONDENT

Adv. Rahul V. Shinde for the Applicant.
Mr. N. B. Patil, APP for the State.
Sr.P.I. Mahesh Kumar Thakur, Nagpada Police Station.

CORAM : M. S. KARNIK, J.

DATE : OCTOBER 11, 2023

P.C. :

1. Heard learned counsel for the applicant and learned APP for the State.
2. This is an application for bail through jail in respect of the offence punishable under Section 302 of the Indian Penal Code (hereafter 'IPC' for short) registered on 23.06.2018 vide C.R. No.372 of 2018 with Goregaon Police Station.
3. The applicant was arrested on 26.06.2018.
4. Learned counsel for the applicant who has been appointed through Legal Aid has meticulously taken me

through the relevant materials. It is submitted that there are contradictions in the statements of the witnesses and the materials on record which are not prima facie incriminating. The applicant was a neighbour of the victim. It is alleged that he had an extra marital relations with the victim. It is alleged that the applicant killed the victim by slitting her throat. There is a statement of the neighbour that the applicant and the victim had quarreled just before the incident. There is also a statement of the witness who says that the victim had pointed out to the applicant when he was running away after causing injury to her throat. It is submitted by learned counsel for the applicant that the applicant is in custody for more than five years.

5. Learned APP submitted that there are hardly five witnesses the prosecution propose to examine.

6. In the facts and circumstances of the present case, learned trial Court is requested to expedite the trial and conclude the same preferably within a period of six months from the date when this order is placed before the trial Court considering that only five witnesses are proposed to

be examined by the prosecution and that the applicant is in custody for more than five years. Hence, I am not inclined to enlarge the applicant on bail at this stage.

7. Liberty to apply for bail after six months if the trial does not progress substantially.

8. The application is disposed of.

9. I appreciate the assistance rendered by Mr. Rahul V. Shinde, learned Advocate, who appeared on behalf of the applicant.

(M. S. KARNIK, J.)