

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.4150 OF 2021
(THROUGH JAIL)**

Bapusing Ditiya Singod

..Applicant

VS.

The State of Maharashtra

..Respondent

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Adv. Yash G. Fadtare i/b. Adv. Vaibhav D. Kadam for the Applicant.

Mr. S. V. Gavand, APP for the State.

Mr. Vishnu Rama Rajad, PSI, Boisar Police Station, Palghar present.

CORAM : M. S. KARNIK, J.

DATE : MARCH 2, 2023

P.C. :

1. Heard learned counsel for the applicant and learned APP for the State.

2. The order dated 02/02/2023 passed by this Court reads thus :-

"1. This is an application filed through jail.

2. I am informed that the matter is at the stage of arguments as 24 witnesses have already been examined and the trial is on the verge of completion.

3. Considering that the applicant is in custody for more than 12 years and 11 months, the trial Court is requested to conclude the trial as expeditiously as possible and preferably within a period of four weeks from February 6, 2023.

4. The investigating officer is requested to place the copy of this order before the trial Court.

5. Stand over to **2/3/2023, high on board."**

3. Though the order was passed on 02/02/2023, the order was placed before the trial Court only on 21/02/2023. From the order of the trial Court it appears that some more time is necessary to conclude the trial though the same is not specifically requested. Considering that the applicant is in custody for almost 13 years, I would otherwise have released the applicant on bail. However, the nature of the antecedents and the conduct of the applicant are the factors which prevented me from doing so. In respect of another C.R. No.16 of 2010 which is registered against the applicant, the applicant and his colleagues made good their escape from the custody. There are criminal antecedents reported against the applicant. Learned APP submitted that the present offence is a case of double murder with dacoity and there is recovery of gold ornaments and country made pistol at the instance of the accused.

4. The time granted in the order dated 02/02/2023 needs to be extended in the light of the observations made by the trial Court on 24/02/2023. I have no manner of

doubt that the trial Court will make every possible endeavour to conclude the trial within a period of three months from the receipt of this order. The trial Court may consider proceeding on a day to day basis if it finds it appropriate. The prosecution and the accused to co-operate with the trial Court and not to seek any unnecessary adjournments.

5. The Bail Application is disposed of.

(M. S. KARNIK, J.)