

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

**BAIL APPLICATION NO. 4291/2021
(THROUGH JAIL)**

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SHAKIL NASIM KHAN

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Rushikesh Patil for the applicant.
Mr. S. H. Yadav, APP for State.
PSI Gaonkar, Amboli Police Station.

CORAM : M. S. KARNIK, J.

DATE : FEBRUARY 28, 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 read with 34 of the Indian Penal Code (hereafter 'IPC' for short) registered vide First Information Report (FIR) No.200/2017 with Amboli Police Station.
- 3.** The applicant was arrested on July 10, 2017. The applicant is in custody for almost five and half years.
- 4.** With the assistance of learned counsel for the applicant I have gone through the materials on record

against the applicant. There is a statement of the watchman who has identified the applicant entering the flat of the deceased on June 9, 2017. On noticing dirty stench coming from the flat, the police authorities were informed. On June 17, 2017 it came to light that a lady was killed allegedly by the present applicant and another co-accused. One iron fighter was found on the spot. The C.C.T.V. footage is on record. There are materials against the applicant.

5. I do not wish to make any observation as the trial has commenced and the witness summons have been issued to the witnesses. The trial is now fixed on March 2, 2023.

6. Learned APP submits that it is estimated that the prosecution would examine 6 to 7 witnesses. In this view of the matter, the trial Court is requested to expedite the trial and conclude the same preferably within a period of one year.

7. Liberty to apply for bail after one year.

8. The application is disposed of.

9. I express my gratitude for the able assistance rendered by learned counsel Mr. Rushikesh Patil who

appeared on behalf of the applicant and argued in support of the applicant's case.

10. This order be communicated to the applicant through Jail Authorities.

(M. S. KARNIK, J.)