

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

CRIMINAL BAIL APPLICATION NO.3464 OF 2023

Mahesh Baburao Nikam Applicant

versus

The State of Maharashtra Respondent

.....

- Mr. Ramanik P. Pawar a/w Samiksha Pawar, Advocate for Applicant.
- Mr. Yogesh Y. Dabke, APP for the State/Respondent.

CORAM : SARANG V. KOTWAL, J.

DATE : 08th NOVEMBER, 2023

P.C. :

1. The Applicant is seeking bail in connection with C.R.No.393/2020 registered with Satara Taluka Police Station dated 22/07/2020 u/s 302, 143, 147, 148, 149, 201 r/w 34 of the Indian Penal Code, which has resulted in Session Case No.121 of 2021 before the Additional Sessions Judge, Satara. The Applicant was arrested on 24/09/2020 and since then he is in custody. On the earlier occasion he had preferred Criminal Bail Application No.1517 of 2020. It was rejected by a reasoned order dated 30/03/2021.

2. The grievance of the Applicant is that even the charge is not framed till today and therefore he has filed this second Bail Application. Considering that even the charge has not framed, I am inclined to make trial time bound by giving specific directions to the Trial Court. When I expressed my opinion, learned counsel for Applicant at this stage does not press this Bail Application. He seeks liberty to file a fresh application if the trial is not over within a period of 5 months from today.

3. The request is reasonable. Hence, the following order :

ORDER

- (i) The application is allowed to be withdrawn as not pressed.
- (ii) The learned Trial Judge is requested to take up this trial on a priority basis. The charge should be framed at the earliest and in any case within three weeks from today.

- (iii) Learned Trial Judge shall make all the efforts to conclude the trial within five months from today.
- (iv) The prosecution shall ensure that the Applicant is produced before the Trial Court on every date.
- (v) Neither prosecution nor the defence shall take unnecessary adjournment and both the parties shall co-operate in early disposal of the trial.
- (vi) In case, the trial is not over within a period of five months from today, the Applicant is at liberty to file a fresh application for bail on that ground.
- (vii) With these observations and directions, the application is disposed of as withdrawn.
- (viii) This order shall be communicated to the Additional Sessions Judge, Satara, hearing Sessions Case No.121 of 2021.

(SARANG V. KOTWAL, J.)