

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

CRIMINAL APPLICATION (BA) NO. 1470 OF 2022

(Amol @ Vittu s/o Rajesh Ingle ..vs.. State of Maharashtra, through its PSO, PS Old City, Akola)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. S.V. Sirpurkar & Ms. Kratika Patni, Counsel for the applicant,
Mr. M.K. Pathan, Addl.P.P. for the non-applicant/State.

CORAM : ROHIT B. DEO, J.

DATED : 10-03-2023

The applicant is seeking bail in Crime 720/2021 which is registered at Old City Police Station, Akola for offences punishable under Sections 306 and 506 of the Indian Penal Code.

2. The applicant approached this Court in Criminal Application (BA) 1017/2021. Since this Court was not inclined to grant bail, the application was withdrawn. However, this Court observed that if there is no significant progress in the trial in the next six months, the applicant shall be at liberty to approach this Court afresh for bail, provided that the order is brought to the notice of the trial Court and the delay is not attributable to the applicant.

3. This Court is informed that although the charge is framed on 10-6-2022, which date in itself is eight months after the order dated 12-10-2021, since then there is no significant progress and from 24-6-2022 till 29-9-2022

the trial was adjourned to await the muddemal property. The learned Counsel for the applicant Mr. S.V. Sirpurkar states that although since 15-10-2022 the trial is fixed for recording evidence, as a fact, the recording has not commenced.

4. Apart from the fact that there is no significant progress in the trial, this Court finds that the offence is not punishable with death or imprisonment for life and the maximum punishment which conviction can entail is ten years. Mr. S.V. Sirpurkar would submit that there is no minimum punishment prescribed.

5. Considering the liberty reserved in the earlier round of bail proceedings, and the fact that the applicant-accused is in custody since 29-6-2021, the accused can be released on bail subject to certain conditions.

6. The accused be released on bail subject to the accused furnishing P.R. Bond of Rs.50,000/- (Rupees Fifty Thousand) with one solvent surety of like amount to the satisfaction of the learned trial Judge.

7. The accused shall attend every date of hearing unless his appearance is exempted by the learned trial Judge.

8. The accused shall not make any attempt to influence the witnesses or to otherwise obstruct the

course of trial.

9. The application is disposed of accordingly.

(ROHIT B. DEO, J.)

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