

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 316 OF 2024

Sagar Kalyan Rajput

VERSUS

The State Of Maharashtra

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Advocate for Applicant : Mr. Jadhav Satej S a/w Mr. Abhishek Jare

APP for Respondent/State : Mr. S.D. Ghayal

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CORAM : S.G. MEHARE, J.

DATED : JULY 11, 2024

PER COURT:-

1. Heard learned counsel for the applicant and learned APP for the State.
2. The applicant seeks bail in Crime No.263 of 2015 registered with Dhule Taluka Police Station, District Dhule for the offence punishable under Sections 302, 201, 317 of the Indian Penal Code.
3. The prosecution case in brief is that the applicant was an accused in another crime. During the course of inquiry of the crime registered against him under the MCOC Act, he confessed that he has murdered his wife whose body was found within the jurisdiction of the Dhule Police Station. Thereafter, he was transferred to this crime in 2016. Since then, he is behind bar. Since the applicant was an accused in another crime, the trial could not be concluded. The

progress report called from the Trial Court reveals that his production was the issue that protracted the trial. The applicant is languishing in jail since 17.11.2016. Since then, the trial is going without any material progress. The prosecution has failed to complete the trial expeditiously. Speedy trial is the right of the accused. Delay in trial is a good ground to grant the bail. That apart, the case is solely based on circumstantial evidence. The investigation has been completed long back. The apprehension of the prosecution of his disappearance may be guarded by imposing certain conditions. Hence, the following order :

ORDER

- (i) Bail Application is allowed.
- (ii) Applicant, Sagar Kalyan Rajput, be released on bail on furnishing P.B. and S.B. of Rs.50,000/- (Rupees Fifty Thousand only) with one solvent surety of the like amount in the above crime, on the conditions that;
 - (a) The trial of the applicant should be conducted producing him through V.C. from jail in Gujarat.
 - (b) The applicant shall furnish proof of his permanent residence with cell phone number of his and his close relatives to the police with an undertaking that they would not change their cell phone number until the trial

(3)

is concluded. If changed, they would intimate the investigation officer.

(S.G. MEHARE, J.)