



IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD.

907 BAIL APPLICATION NO. 388 OF 2024

PANKAJ NAGORAO GHODE
VERSUS
THE STATE OF MAHARASHTRA

...

Advocate for Applicant : Mr. Balasaheb N. Magar.

APP for Respondent/State : Mrs. Pratibha J. Bharad.

...

CORAM : **SANJAY A. DESHMUKH, J.**

DATE : 18th April, 2024.

P.C.:

1 Heard.

2 This is an application, under Section 439 of the Code of Criminal Procedure, 1973 for grant of regular bail.

3 The learned counsel for applicant submits that the trial has been started but with snails speed. He, therefore, submits that at least directions for expeditious hearing of the trial are necessary.

4 Perused the charge-sheet. Considering the serious nature of the crime, the Trial Court is directed to decide the sessions case as expeditiously as possible and in any case within six months. The Trial Court shall conclude the trial by considering the literal sense of session case. Needless to mention that it is a sessions trial and word "sessions" means once it is started it shall not be stopped till it is

concluded. Therefore, the Trial Court is directed to keep the matter at least twice in a week.

5 The Trial Court is further directed not to grant adjournments if it is prayed on behalf of either the prosecution or the defence unless there is extreme urgency or reasonable ground. If the accused are not produced, the Trial Court may call the jail authority and escort party and warn them by passing an order accordingly by giving one opportunity to them to produce the accused, under trial prisoners continuously. If it is not followed then the Trial Court may proceed against these authorities for not following the order of the legal authority of public servant as per the (applicable) provisions of Chapter X of the Indian Penal Code. If any accused is released on bail in the said trial is not appearing, then the Trial Court may proceed to cancel their bail. If the advocates for accused or the public prosecutor are not cooperating the Court for conducting the trial as expeditiously as possible, the Trial Court may impose heavy costs on the concerned accused.

6 The learned Trial Court to note that if the trial is not concluded within six months, the applicant is entitled for bail as per his speedy trial right as per Article 21 of the Constitution of India.

[SANJAY A. DESHMUKH, J.]