



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

19 BAIL APPLICATION NO. 953 OF 2024

Sushil Ashok Magare
VERSUS
The State of Maharashtra

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Advocate for Applicant : Mr. Siddharth Pimpale i/b Pan India Legal
Service L.L.P.

APP for Respondent: Mr. R.S. Wani

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CORAM : SANJAY A. DESHMUKH, J.
DATED : 2nd SEPTEMBER, 2025.

PER COURT :-

1. Perused the communication seeking extension of time. The learned Judge, seized with the matter, has requested for extension of time of one year to conclude the trial in Sessions Case No. 74 of 2021. The time of six months is extended by way of last chance, with following directions:-

i) The learned Judge, seized with the matter, is directed to keep the matter at least twice in a week and conduct the trial in view of literal sense of word "session". Needless to state that the session means once it is started it shall not be stopped.

ii) If the accused are remaining absent, the court seized with

the matter is directed to cancel their bail and take them in judicial custody.

- iii) If the concerned advocates are not helping or prolonging the matter, then the court is directed to proceed further as per the provisions of law. In addition thereto, it may impose heavy costs upon the concerned accused.
- iv) If the accused are not produced by the jail authority or escort is not provided, the court is directed to conduct the meeting and to inform them that court can take action as per Chapter X of I.P.C. i.e. the contempt of lawful authority of public servant for not following the directions of the authority. The learned court may record the evidence through video conferencing and conclude the trial as early as possible.
- v) If the FSL report of ballistic expert is not received, the court shall issue witness summons to that authority first calling report and if they do not respond, issue bailable warrant and even if thereafter they do not respond, issue non bailable warrant.

- vi) The learned Registrar (Judicial) of this Court is directed to communicate this order to the concerned Court immediately.
- vii) Parties to act on authenticated copy of this order.

(SANJAY A. DESHMUKH, J.)

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