



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO. 1633 OF 2024

DHANANJAY HARSINGH BATALE
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Kachru A. Ingle
APP for Respondent : Mr. S. P. Sonpawale
...

CORAM : S. G. MEHARE, J.
DATE : 26-09-2024

PER COURT :-

1. Heard the learned counsel for the applicant and the learned A.P.P. for the respondent.
2. The applicant seeks bail in C.R.No.64 of 2020 registered with Fardapur Police Station, Taluka Soygaon, District Aurangabad, for the offences punishable under Sections 302, 324, 323, 143, 148, 149, 504 of the Indian Penal Code and Section 135 of the Bombay Police Act.
3. The applicant is seeking bail on the ground of inordinate delay in concluding the trial.
4. The learned counsel for the applicant submits that till date only four witnesses have been examined. The complainant was deliberately protracting the trial for sixteen months. He did not appear though non-bailable warrant was issued against him. Therefore, this Court directed the trial Court to conclude the trial

within six months. However, the witnesses are not co-operating. Therefore, the trial Court could not conclude the trial within six months. He is seeking bail on the ground of long incarceration in jail.

5. The learned A.P.P. submits that till date four witnesses have been examined and remaining eleven witnesses are yet to be examined. Considering the *modus operandi* of the complainant to protract the trial and snail speed of the trial, the Court is of the view that there would be no speedy trial. Apparently, his right to speedy trial has been violated. It would be unjustifiable to keep the applicant behind bar for further period. Therefore, he deserves bail.

ORDER

- i) The bail application is allowed.
- ii) Applicant - Dhananjay Harsingh Batale be released on bail, on furnishing PB and SB of Rs.50,000/-, with one solvent surety of the like amount, in the above crime for the aforesaid offences, on the conditions that,
 - (a) He should not tamper with the prosecution witnesses.
 - (b) He should attend the trial on each and every date.

(S. G. MEHARE)
JUDGE