



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

55 BAIL APPLICATION NO. 1741 OF 2024
MOHD. GAUS MOHD. HAFIZODDIN FAROOQUI INAMDAR
VERSUS
THE STATE OF MAHARASHTRA

...
Advocate for Applicant : Mr. Patil Dhananjay Shrikant
APP for Respondent/State: Mr. G. O. Wattamwar

...

WITH
CRIMINAL APPLICATION NO. 4344 OF 2024
IN
BA/1741/2024
MOHAMMAD HAJI ABDUL RAHIM
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...

Advocate for Applicant :
Mr. Aditya Vinod Waghmare h/.f Mr. Bhosale Mahesh Kalidas
APP for Respondent/State: Mr. G.O. Wattamwar

...

CORAM : ARUN R. PEDNEKER, J.
DATE : 09th DECEMBER, 2024

PER COURT:

1. Heard learned counsel for the applicant and the learned APP for the respondent-State.
2. The application for assist to Public Prosecutor is allowed.
3. The applicant is seeking bail as he was arrested on 24.01.2022 in connection with Crime No.159/2020, dated 25.03.2020, registered with Nanded Police Station, District Nanded,

for the offences punishable under Sections 302, 307, 143, 147, 148, 149, 188, 504, 506 of the IPC r/w Section 3/25, 4/25, 4/27 of the Arms Act and Section 135 of the Maharashtra Police Act.

4. The learned counsel for the applicant submits that the applicant's regular bail application is rejected by order dated 21.03.2024 by holding that prima facie material indicates that the accused no.4 / applicant is involved in the serious crime in which two persons are murdered. One has died due to stab injury and the other has due to injury to the chest and abdomen and dangerous weapons were used like swords, pistols etc. in the attack.

5. The application is moved by the applicant contending that for 2 years the trial is pending and seeks bail on account of delayed trial. The applicant is arrested on 24.01.2022 and that trial has not concluded.

6. On completion of the investigation in the matter on 23.11.2022 charges are framed in this case. Thereafter, this matter was listed on various occasions but there is no progress in the matter. Application was moved by the applicant / accused on 24.10.2024 by submitting that Criminal Case No.201 of 2024 filed by them against the complaint is pending and charge is not framed in that case. The application was moved to connect the said file i.e. Criminal Case No.201 of 2024 along with the present file.

7. In the present case although charges are framed, however, on account of the application filed for clubbing of matters the case is delayed. Witnesses were present and the accused had sought

adjournments at least on 8 occasions. The dates are 02.07.2024, 16.07.2024, 01.08.2024, 14.08.2024, 28.08.2024, 12.09.2024, 27.09.2024 and lastly on 10.12.2024. Considering the same, the accused cannot be granted bail on account of delay in trial.

8. The Bail Application stands dismissed.

[ARUN R. PEDNEKER, J.]

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