



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

BAIL APPLICATION NO. 2019 OF 2023

Shaikh Sabir Shaikh Supadu,
Age 34 years, Occu. Welding work,
R/o. Shriram Peth Road, Islampur
Jamner, District Jalgaon .. Applicant
Versus
The State of Maharashtra
Through Police Inspector,
Jalgaon Taluka Police Station .. Respondent

Mr. Hemantkumar F. Pawar, Advocate for Applicant;
Mr. A. S. Shinde, A.P.P. for Respondent/State

CORAM : S. G. MEHARE, J.

DATE : 04-01-2024

PER COURT :-

1. Heard the learned counsel for the applicant and the learned A.P.P. for the respondent/State.
2. This is a successive bail application of the applicant for bail in C.R.No.30 of 2022 registered with Jalgaon Taluka Police Station, District Jalgaon, for the offences punishable under Sections 302 and 120B read with Section 34 of the Indian Penal Code, on the ground that the trial has not been commenced.
3. Perused the progress report of the trial Court.
4. The report reveals that the case could not be listed as accused No.3 was absent and bail applications were filed consequently. The report was very specific that recently the learned counsel for the applicant/accused submitted before the Court, matter should be

listed for hearing after decision of the present bail application. It shows that the applicant was not interested to proceed with the matter. Surprisingly, the learned counsel for the applicant states that present accused did not engage any lawyer. If the lawyer was not engaged, how the statement was made by the lawyer to fix the matter for hearing after decision of this bail application. If the accused did not engage the lawyer, he may request the Court for providing him the lawyer from the legal aid panel.

5. The report reveals that the matter is ready for evidence. It is the prosecution and the accused to co-operate with the Court for commencing the trial and early disposal. This Court is not satisfied that the prosecution has deliberately delayed the trial.

6. If the accused is not produced physically, he should be produced on video conferencing. The learned trial Court is directed to issue directions to the jail authority to produce the accused on each date on video conferencing, unless his physical presence is essential.

7. The applicant has no case for bail. Hence, the application stands dismissed.

8. If the parties would co-operate with the Court, the trial Court should make an endeavor to dispose of the case at the earliest.

**(S. G. MEHARE)
JUDGE**