



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

BAIL APPLICATION NO. 675 OF 2024

OMKAR KALURAM SASANE
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Advocate for Applicant : Mr. S. E. Shekade
APP for Respondent No.1 : Mr. S. B. Narwade
Advocate for Respondent No.2 : Ms. Rashmi S. Kulkarni along with
Adv. Dilip B. Rode and Adv. Namita Thole

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CORAM : S. G. MEHARE, J.

DATE : 22-07-2024

PER COURT :-

1. Heard the learned counsel for the parties.
2. The last bail application of the applicant was dismissed on 11.07.2023. It was an application for bail sought on the ground of delay in trial. After this order, the victim had filed Writ Petition No.1332 of 2023 before the Hon'ble Division Bench, seeking direction to the Investigating Officer to produce misplaced muddemal property. The applicant appeared and filed an application for interim bail.
3. The Hon'ble Division Bench directed the trial Court to decide application Exhibit-48 and pass an appropriate order on the petitioner's application Exhibit-48. However, the learned counsel for the victim has confusion whether it was an application for temporary bail or regular bail. She would submit that she was not served with a copy of Criminal Writ Petition No.434 of 2024. After

the said order, the learned Sessions Court rejected application Exhibit-48 holding that there was no change in circumstances.

4. Learned counsel for the applicant made a statement that an application to expedite the trial has been moved before the Sessions Court, contending that the Hon'ble Division Bench has granted stay in Writ Petition No.1140 of 2023 for three weeks. That application is still pending. The dispute is, whether the trial has been stayed by the Court's order. In such circumstances, the remedy to move an application was to approach the Hon'ble Division Bench. *Prima facie* it appears that by the order of the Hon'ble Division Bench, the trial has been stayed and no material has been placed on record, whether the trial has been stayed for particular time. In these peculiar circumstances, the request of the learned counsel for the applicant to direct the trial Court to expedite the trial could not be granted. The applicant seeks time to take appropriate steps. Time granted.

5. List the matter after taking appropriate steps and getting an order from the concerned trial Court.

(S. G. MEHARE, J.)