

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO.43 OF 2024

Tribhuvansing Raghunath Yadav .. Applicant
Versus
The State of Maharashtra .. Respondent

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Mr.Vinod Kashid for the Applicant.
Mrs.Mahalaxmi Ganpati, A.P.P. for the State/ Respondent.
Investigating Officer, Mr.B.Sawant, Sr.P.I. (Retd.), present.
PSI R.N.Loke, Pairavi Officer, Sakinaka Police Station, present.

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CORAM: BHARATI DANGRE, J.
DATED : 22nd FEBRUARY, 2024

P.C:-

1. The learned APP has placed before me the status of Case No.395/PW/2020 and according to the said report, three witnesses are already examined and five witnesses out of those, cited by the prosecution, are dropped, since the distinct panchnamas are admitted by the Accused.

Thus, according to the prosecution, ten more witnesses are to be examined and the next date for examination of the witness is scheduled on 26/02/2024, when two witnesses are likely to be examined.

It is specifically informed through the Investigating Officer as well as the learned APP has obtained instructions from the learned Prosecutor that the balance witnesses would be examined in every week and the trial shall be concluded within a period of three months.

2. In the wake of the aforesaid, though Mr.Kashid would strenuously urge that the delay in trial itself is a ground for the release of the Applicant on bail, in the wake of the aforesaid scenario, with a clear direction being issued to the learned Magistrate that the judgment in the case, in any case, shall be delivered on or before 31/05/2024, I deem it appropriate to turn down the request of the Applicant.

It is, however, made very clear that for any reason, if the trial is not concluded within the time-line specified above, without going into the seriousness or other aspect of the trial, the Applicant shall deserve his release on bail.

3. With the aforesaid direction, the Application is rejected.

(SMT. BHARATI DANGRE, J.)