



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

BAIL APPLICATION NO.2382 OF 2023

VISHAL MANGESH YADAV

..APPLICANT

VS.

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. V. P. Kakade i/b. Adv. Mrunal Jadhav for the applicant.
Mr. B. B. Kulkarni, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : APRIL 22, 2024

P.C. :

- 1.** Heard learned counsel for the applicant and learned APP for the State.
- 2.** This is an application for bail in respect of First Information Report (FIR) No.I-128/2018 registered with Nalasopara Police Station, for the offences punishable under Sections 302, 120-B, 201 read with Section 34 of the Indian Penal Code, 1860 (hereafter "the IPC", for short).
- 3.** The FIR was registered on 6/4/2018. The date of the incident is 6/4/2018. The accusation is that the applicant along with other co-accused killed the deceased. The deceased was killed in a brutal manner. As per post-mortem notes, there are several injuries on the person of the

deceased. The applicant was armed with an axe. He assaulted the deceased on his vital parts. There was previous enmity between the applicant and the deceased. The axe was recovered from the applicant. There is an eyewitness to the incident.

4. Learned counsel for the applicant submitted that the applicant is in custody for more than six years. It is submitted that only charge is framed, and the trial will take long time to conclude.

5. On the previous occasion, the first Bail Application bearing No.2386/2021 filed by the applicant was allowed to be withdrawn by an order dated 6/1/2023. The trial was expedited. It was observed that if the trial does not substantially proceed, liberty to file a fresh application after six months.

6. Though the applicant is in custody for more than six years, in the facts and circumstances of the present case, I am not inclined to presently enlarge the applicant on bail on the ground of long incarceration. The trial Court is requested to conclude the trial preferably within a period of one year from today.

7. Learned counsel for the applicant submitted that the applicant will co-operate with the trial Court and will not seek unnecessary adjournments. The prosecution to co-operate with the trial Court.

8. Liberty to apply for bail after sometime depending on the progress of the trial.

9. With these observations, the application is disposed of.

(M. S. KARNIK, J.)