

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

BAIL APPLICATION NO. 2790 OF 2024

Kantilal urf Kanti Yashwant Mokashi	...	Applicant
Versus		
The State of Maharashtra	...	Respondent

Mr. Abhinav Dubey for the Applicant.
Mr. Sagar R. Agarkar, APP for Respondent-State.
Mr. Sunil Ahire, PSI, Crime Branch, Unit-5, Thane City.

CORAM: MANISH PITALE, J.
DATE : 13th DECEMBER 2024

P.C. :

1. Heard learned counsel for the applicant and learned APP for the respondent-State.

2. In this application, by an order dated 3rd December 2024, this Court had called for a report from the concerned trial Court i.e. the Court of Adhoc District Judge-1 and Additional Sessions Judge, Thane. The report submitted by the said Court shows that on 23rd October 2024, charge has been framed in the present case.

3. This is the second bail application of the applicant. The first bail application was disposed of by an order dated 28th February 2024 passed by this Court (Coram: Prithviraj K. Chavan, J.) in Criminal Bail Application No. 2623 of 2022. After this Court made certain observations on the merits of the matter against the applicant, the applicant chose to withdraw the application, seeking

direction to the concerned trial Court to expedite hearing of the case. Accordingly, the application was dismissed as withdrawn and a direction was issued to the concerned trial Court to frame the charge. It was also indicated that the trial shall be concluded expeditiously. It is brought to the notice of this Court that the prosecution has given a list of only 20 witnesses to be examined during the course of trial, but in practical terms, fewer witnesses would be examined. Since the charge has now been framed on 23rd October 2024, appropriate directions can be issued to the trial Court to complete the trial in a time bound manner.

4. Considering the seriousness of the offences and the material against the applicant, bail cannot be granted only on the ground of the period of incarceration already undergone by the applicant, particularly because some of the offences provide for maximum punishment of imprisonment for life.

5. In view of the above, the application is disposed of by directing the aforesaid trial Court to proceed expeditiously in the trial proceedings and to complete the same within one year from today.

6. If the trial is not completed within one year from today and the delay is not attributable to the applicant, liberty is reserved for the applicant to renew his prayer for bail.

MANISH PITALE, J.