



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

40 BAIL APPLICATION NO. 1736 OF 2025

Rutik Alias Gotya Sanjay Jadhav

VERSUS

The State Of Maharashtra And Another

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Mr. Shaikh Mazhar A. Jahagirdar, Advocate for Applicant

Mr. N. B. Patil, APP for Respondent/State

Mr. Rajendra Chavan, Advocate for Respondent No.2 (appointed
Through Legal Aid)

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CORAM : SANJAY A. DESHMUKH, J.

DATE : 13.10.2025

PER COURT :-

1. Heard.

2. This is an application for grant of regular bail under Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, in connection with Crime No.I-25 of 2024, registered at M.I.D.C., Police Station, District Ahilyanagar, for the offences punishable under Sections 302, 376(2)(N), 363, 364, 504 and 506 r/w Section 34 of the Bharatiya Nyaya Sanhita, 2023 and Sections 4, 8 and 12 of the POCSO Act.

3. The learned advocate for the applicant pointed out the report in which the informant averred that his daughter, the victim was 13 years old at the time of the incident. She was reported missing and a

missing complaint was lodged on 13.01.2024. On 16.01.2024, the dead body of the victim was found in a well situated in the agricultural land of one Kiran Bange at village Dehare. She was having various injuries. It is alleged that the applicant was in a love relationship with the victim and co-accused Preeti was also in a relationship with the applicant. The applicant and co-accused Preeti allegedly conspired to commit the murder of the victim by assaulting her on the head and throwing her into the well.

4. The learned advocate for the applicant submitted that the earlier bail application of the applicant was rejected by this Court on merits. The applicant has been in custody since 16.01.2024 and more than one and a half years is over. The applicant, therefore, seeks bail on the ground of delay in the trial.

5. The learned APP for the State strongly opposed the application and submitted that the applicant is booked for a serious crime of murder. If he is released on bail, he will certainly pressurize the prosecution witnesses and tamper with the evidence. It is submitted that since the earlier bail application of the applicant was rejected the only relief that may be granted is to expedite the trial. It is lastly prayed to reject the application.

6. Perused the grounds raised in the application. This Court cannot entertain any argument on factual aspects, as the earlier Bail Application filed by the applicant has already been rejected by this Court. Considering that, at the most trial can be expedited. Merely because the applicant is behind bar for more than one and a half years, the application for bail cannot be allowed. However, the trial may be expedited. Hence, the following order:

::ORDER::

- (i) The application is rejected.
- (ii) The learned Trial Court is directed to conclude the trial as expeditiously as possible and in any case within a period of one year from today in accordance with the directions issued by the Hon'ble Supreme Court in *Tapas Kumar Palit v. State of Chhattisgarh*, 2025 SCC OnLine SC 322. However, it is clarified that if any sessions case has been expedited either by the Hon'ble Supreme Court or by this Court, the Trial Court shall proceed with those cases first and thereafter conclude the trial in the present case. Needless to mention that it is a sessions trial and word "sessions" means once it is started it shall not be stopped until it is concluded.
- (iii) If the trial does not progress, the learned Trial Court shall record

the reasons for the delay and communicate the status of the trial to this Court after a period of six months.

(iv) If the trial is not concluded within one year, the learned Trial Court may consider the applicant's application for bail, if filed.

[SANJAY A. DESHMUKH, J.]

HRJadhav