



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD

**930 BAIL APPLICATION NO. 2097 OF 2024**

Mahesh Manohar Kadam

Age – 34 years, Occupation – Agriculture,

R/o. Lohta (W), Tq. Kallam,

Dist. Osmanabad.

... Applicant

Versus

1. The State of Maharashtra,  
Through Officer In charge,  
Police Station Shiradhon,  
District Osmanabad.

2. The Superintendent of Police,  
Osmanabad, District Osmanabad.

... Respondent

.....

Advocate for Applicant : Mr. Sudarshan J. Salunke

APP for Respondents : Mr. V. M. Jaware

....

**CORAM : ABHAY S. WAGHWASE, J.**

**DATED : 03 JANUARY 2025**

**PER COURT :-**

1. By way of present application, accused is seeking regular bail on account of his arrest in crime no. 0147 of 2019 registered at Shiradhon Police Station, Osmanabad for offence under Sections 302, 307, 498-A r/w 34 of IPC.

2. Pointing out that applicant is behind bars since 29.10.2019, it is submitted that, present application is pressed into service precisely as there are no immediate prospects of commencement of trial. It is further pointed out that as on today, only 7 witnesses have been examined by trial court and there is a long list of almost 32 prosecution witness. Consequently, on the ground of delay in conclusion of trial, relief of bail is urged.

3. Learned APP opposed on the ground that trial is already underway and therefore, present application for bail is itself not maintainable.

4. After hearing submissions of both sides and on going through the papers it transpires that, as a result of report at the instance of one Shankarrao Veer, Shiradhon Police Station, registered crime for offence under Sections 302, 307, 498-A r/w 34 of IPC. Apparently, FIR is of 2019. Now, there is no dispute that after committal, trial has already commenced and 7 witnesses are said to be examined. According to learned counsel, trial is going at snail's pace and there are 32 prosecution witnesses. Copy of Roznama is also placed on record. Reliance is placed on ruling of the Hon'ble Apex Court in the case of *Mohd. Muslim @ Hussain v. State (NTC Dehli)* [Spl. Leave

Petition (Crl.) No(s). 915 of 2023 decided on 28.03.2023]. However, apparently and admittedly, learned trial court has examined 7 witnesses. Therefore, purpose gets served by requesting trial court to make sincere endeavour to conclude the trial as early as possible. Bail Application is accordingly disposed of.

**[ABHAY S. WAGHWASE, J.]**

vre