



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

BAIL APPLICATION NO. 2160 OF 2024

Aneesuddin Samiuddin Siddiqui,
Age : 30 years, Occu. Nil,
R/o. Plot No. 47, Abrar Colony,
Beed Bye-Pass Road, Aurangabad.

... Applicant

Versus

The State of Maharashtra

... Respondent

.....
Mr. Satej S. Jadhav, Advocate for the Applicant.
Mr. C. V. Bhadane, APP for Respondent-State.
.....

CORAM : ABHAY S. WAGHWASE, J.

Reserved on : 21.02.2025

Pronounced on : 24.02.2025

ORDER :

1. Applicant seeks enlargement on bail on account of his arrest in crime no. 0314 of 2020 registered at Satara Police Station, District Aurangabad for offence punishable under Sections 302, 304-B, 498-A, 315, 323, 332, 504, 506 r/w 34 of IPC.

2. Learned counsel pointed out that present application is second application. Previous application was rejected. However, according to him, in spite of charge sheet being filed in January 2021, there is no progress in the trial and rather, it has not commenced yet. That, applicant is behind bars since more than four and half years. Another

thrust of learned counsel for the applicant is that , applicant is a victim of renal failure and is undergoing treatment since one year but he is not getting proper treatment and there is no improvement. Therefore, on the ground of long pre-trial incarceration as well as on medical ground, learned counsel seeks grant of bail.

3. Learned APP opposes on the ground that applicant, who is husband, has committed murder of his wife and that case is already committed.

4. After considering the submissions so advanced and on going through the papers, it emerges that crime is of October 2020 and charge sheet is reported to be filed way back in January 2021 itself. This Court called upon learned APP to seek instructions from his counterpart in the trial court as to approximately why matter has not proceeded and what stage has been achieved as on today. Learned APP reverted back submitting that he has interacted with the prosecutor in the trial court and that matter is awaiting *muddemal*. He also submitted about the court, which is seized with the matter, to be having huge previous pendency and that said trial court is also due for transfer this year. Therefore, current position has been fairly brought to the notice of this Court.

5. Applicant is shown to be arrested on 10.10.2020 i.e. almost four and half years back. Papers of his ailment are also placed on record. Taking above submissions of learned APP into consideration, when there are no immediate prospects of matter going for trial or it coming to an end in the near future, only on the ground of long incarceration, application deserves to be granted. Hence, I proceed to pass the following order:

ORDER

I. The application is allowed.

II. Applicant Aneesuddin Samiuddin Siddiqui, be released on bail in connection with Crime No. 0314 of 2020 registered at Satara Police Station, District Aurangabad City, on executing Personal Bond of Rs. 15,000/- with one surety in the like amount, on following conditions :

[a] The applicant shall not tamper prosecution evidence.

[b] The applicant shall not enter village Manbha, Taluka Karanja Lad, District Washim till conclusion of trial.

[c] The applicant shall attend each and every effective date before the trial court.

[ABHAY S. WAGHWASE, J.]