



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

CRIMINAL APPEAL NO. 129 OF 2025

Bharat @ Bharat Nivrutti Phulse

.. Appellant

Versus

The State Of Maharashtra And Another

.. Respondents

Mr. Vaibhav B. Dhage, Advocate for the Appellant.

Smt. M. N. Ghanekar, APP for Respondent No. 1.

Mr. R. B. Deshmukh, Advocate for Respondent No. 2.

CORAM : KISHORE C. SANT, J.

DATE : 30th JUNE, 2025.

PER COURT :-

. Heard learned advocate for the appellant for some time.

2. The appellant has come to this Court seeking his release on bail in connection with Special (Atrocities) Case No. 86/2023. It is the main ground that, even after two years the trial is not concluded. There are 24 witnesses yet to be examined.

3. The learned A.P.P. points out that, the trial is being delayed as the accused has changed his advocate and it is the accused who is responsible for the delay in the trial.

4. Be that as it may, the learned advocate for respondent No. 2 also submits that, the delay is not deliberate. The prosecution is

trying his best to examine the witnesses.

5. Be that as it is, this Court at this stage need not go into the aspect as to who is responsible for delay. It is only two years the accused is in jail. Considering that, the offence is under Section 302 of the Indian Penal Code where minimum punishment is life imprisonment and considering the volume of the witnesses i.e. above 24 witnesses, this Court does not find that there is unreasonable delay on the part of the prosecution in conducting the trial.

6. Considering the above, this Court is not inclined to allow the appeal at this stage. The appellant may approach this Court after one year.

7. With this, Criminal Appeal stands disposed of with liberty to the appellant to approach this Court after one year.

8. The Trial Court is expected to expedite the trial. The prosecution to co-operate in speedy disposal.

(KISHORE C. SANT, J.)

PS.B.