

Amberkar

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 4999 OF 2024

Shailesh Paigun Bhosale

.. Applicant

Versus

State of Maharashtra

.. Respondent

.....

- Mr. Firoz Maner a/w Mr. Anjum Maner for Applicant
- Mr. Balraj B. Kulkarni, APP for Respondent - State

.....

CORAM : MILIND N. JADHAV, J.

DATE : APRIL 7, 2025

P. C.:

1. Heard Mr. Maner, learned Advocate for Applicant and Mr. Kulkarni, learned APP for Respondent - State.

2. The grievance of the Applicant is that though trial has commenced, only 1 prosecution witness out of probable 44 prosecution witnesses desired to be examined, has been examined till date. Applicant is incarcerated since 30.03.2021 and since then he has been in prison for a period of more than 4 years.

3. Mr. Maner would persuade me to consider that there will be substantial delay in completing the trial in view of the above and therefore present Application for Bail be granted. He would submit that there are no antecedents. He has drawn my attention to the order dated 28.11.2022 passed by this Court in previous Bail Application filed by the Applicant. On reading the said order, it is seen that Bail

Application filed in 2022 was dismissed as withdrawn but while doing so, liberty was given to the Applicant to renew his prayer for bail before the Trial Court if trial does not commence within six months thereafter. Applicant renewed his Application for Bail before the Trial Court, however the Trial Court by order dated 23.10.2024 rejected the said Application. Hence, the Applicant is before this Court.

4. On reading the rejection order passed by the Trial Court, it is *prima facie* seen that one of the grounds stated in rejection is long pendency of the matter before the Trial Court which has led to inevitable delay in completing the trial. Learned APP shall take appropriate instructions about the status of the trial and accordingly appraise the Court on the next adjourned date when the present Application shall be heard and decided by this Court.

5. Stand over to 16th April, 2025 at 2.30 p.m.

[MILIND N. JADHAV, J.]

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