

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO.1136 OF 2025

Kishor @ Babu Vijay Bhapkar

.... Applicant

versus

The State of Maharashtra

.... Respondent

.....

- Mr. Rushikesh Kale, Advocate for Applicant.
- Mr. Prashant Jadhav, APP for the State/Respondent.
- PSI – Dhanashri Balaso Bhagat, attached to Baramati Taluka Police Station.

CORAM : SARANG V. KOTWAL, J.

DATE : 02nd MAY, 2025

P.C. :

1. This is the third time that the Applicant has approached this Court for his release on bail. His Bail Application was rejected by the Hon'ble Supreme Court as well. This time the learned counsel for the Applicant submitted that inspite of specific orders of this Court, the trial has not progressed. As of today no witness is examined.

2. I have perused the last order dated 21/08/2024 by

which the trial was directed to be conducted on a day to day basis and was directed be concluded within 5 months from 21/08/2024.

3. Learned APP on instructions states that the trial was delayed by the co-accused No.5 as he was continuously remaining absent and therefore, his presence could be secured only after issuance of non-bailable warrant.
4. Similarly, the other co-accused who were on bail; were not co-operating with the early disposal of the trial. The accused are taking advantage of their own absence and in these circumstances the Applicant has approached this Court for his release on bail.
5. Learned APP is directed to put these facts on affidavit with Roznama of the trial. If the prosecution is not at fault then that would be considered independently. As far as merits of the matter is concerned, the Bail Application was rejected on merits. However, for consideration of Bail Application, it is necessary to

go through the charge-sheet. The copies which are annexed to this application, are not readable.

6. Learned counsel for the Applicant is directed to supply typed copies of those documents. Typed copies shall be submitted within a period of three weeks from today. Learned APP also shall file the affidavit-in-reply within a period of three weeks from today. The matter be listed for further consideration on 17/06/2025.

7. The learned counsel for the Applicant is at liberty to move the vacation bench in case of urgency. It is clarified that in the meantime, the Trial Court is directed to take steps to complete the trial as early as possible.

(SARANG V. KOTWAL, J.)