



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

CRIMINAL APPLICATION (BA) NO.166 OF 2025

(Rajkumar s/o Baburao Kannake Vs. The State of Maharashtra thr. PSO Police Station
Kothari, Dist. Chandrapur)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Mr. A. C. Jaltare, Advocate for Applicant.
Ms. Sneha S. Dhote, APP for Non-Applicant/State.

CORAM: URMILA JOSHI PHALKE, J.

DATE: 24th APRIL, 2025.

1. This is an application for grant of bail.
2. Heard learned counsel for the applicant to some extent and perused the investigation papers. The application is filed mainly on the ground that there is delay in trial. The learned APP informed that three witnesses are already examined, whereas the learned counsel for the applicant submitted that three witnesses are already examined and prosecution intended to examine 44 witnesses and therefore, there would be delay in trial and the right of the present applicant as to the speedy trial would affect.
3. The learned APP submitted that three witnesses are already examined, the trial is already commenced. In view of that, the application deserves to be rejected. After going through the entire investigating papers. I have shown my disinclination to grant bail.

4. In view of the decision of the Hon'ble Apex Court in the case of *X. v. State of Rajasthan & Anr. in Special Leave Petition No.13378/2024* wherein the Hon'ble Apex Court held that ordinarily in serious offences like rape, murder, dacoity etc., once the trial commences and the prosecution starts examining its witnesses, the Court be it the Trial Court or the High Court should be loath in entertaining the bail application of the accused.

5. In view of the observation of the Hon'ble Apex Court. The learned counsel for the applicant seeks permission to withdraw the application. The application is disposed of as withdrawn with direction to the trial court that considering the applicant is arrested 03.07.2021 the trial be disposed of at the earliest.

6. The application is disposed of as withdrawn.

(URMILA JOSHI-PHALKE, J.)