



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**  
**NAGPUR BENCH : NAGPUR**

**CRIMINAL APPLICATION (BA) NO.177 OF 2025**

Yashwant s/o Bhaurao Dadmal  
Vs.

State of Maharashtra, through Police Station Officer, Shegaon (Buj) Police  
Station, Varora District Chandrapur

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

Court's or Judge's orders

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Mr. V. S. Sambre, Counsel for the applicant.  
Mr. Anant Ghogare, APP for non-applicant / State.

**CORAM : URMILA JOSHI-PHALKE, J.**  
**DATED : 27/03/2025**

1. The application is for grant of bail.
2. The applicant is arrested on 13.04.2021 and the application is filed on the ground of delay in trial. The report of the learned Additional Sessions Judge is called and detailed report is submitted by him which shows that seven witnesses are already examined by the prosecution. In view of that the Hon'ble Apex Court in the case of **X .Vs. State of Rajasthan and Anr. in Special Leave Petition (Criminal) No.13378/2024** wherein in the Hon'ble Apex Court has observed 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.

3. In view of the above observation and considering the trial is already commenced, seven witnesses are already examined and I have shown my disinclination to grant bail. Learned Counsel for the applicant seeks permission to withdraw the application with the direction that the trial Court shall expedite the trial. This Court is aware about the observation of the Hon'ble Apex Court that, this Court should not direct the trial Court as to the expedition of the trial and fixed programme, but considering the applicant is arrested on 13.04.2021 and the trial is already commenced and seven witnesses are already examined. The trial Court shall keep the matter on day-to-day basis and dispose it at the earliest.

4. The defence Counsel shall co-operate with the trial Court to dispose of the trial without insisting the Court the presence of the accused as accused can be produced through video conferencing also.

5. In view of the above observation, the application is disposed of as withdrawn.

**(URMILA JOSHI-PHALKE, J.)**