



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

CRIMINAL APPLICATION (BA) NO.489 OF 2025

Ajay s/o Yeshwant Bokade

Vs.

State of Maharashtra, through Police Station Officer, Police Station,
Wathoda, Nagpur

WITH

CRIMINAL APPLICATION (BA) NO.899 OF 2025

Prakash @ Pakkya Bhimkumar Kosare

Vs.

State of Maharashtra, through Police Station Officer, Police Station,
Wathoda, Nagpur

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

Court's or Judge's orders

Mr. S. D. Chande, Counsel for the applicants.
Ms. H. N. Prabhu, APP for non-applicant/State.

CORAM : URMILA JOSHI-PHALKE, J.
DATED : 19/08/2025

1. The applications are for bail mainly on the ground of delay in trial.

2. Learned APP informed that 9 witnesses are already examined and more 10 to 12 witnesses prosecution wants to examine. There is no dispute as to the fact that the applicants are arrested on 29.12.2020. Learned APP also relied upon the **X Vs. State of Rajasthan & Anr. in Special Leave Petition (Criminal) No. 13378 of 2024** wherein 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. As already observed that 9 witnesses are already examined and the prosecution has to examine 10 to 12 witnesses more, directions can be issued to the trial Court to dispose of the trial at the earliest. Learned Counsel for the applicants seeks permission to withdraw the applications with liberty to file after six months, if the trial is not concluded within six months.

4. The applications are disposed of as **withdrawn** with liberty to file after six months, if the trial is not concluded within six months.

5. The trial Court shall proceed with the trial and both parties shall cooperate with the trial Court to dispose of the trial within six months.

(URMILA JOSHI-PHALKE, J.)