



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

CRIMINAL APPLICATION (BA) NO. 888/2025

Nandu s/o. Rajesh Bagade Vs. State of Maharashtra

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

Court's or Judge's orders

Mr. S. V. Sirpurkar, Advocate for the Applicant.
Ms T. H. Udeshi, A.P.P. for the Non-applicant/State.

CORAM : MRS.VRUSHALI V. JOSHI,J.

DATED : 04/11/2025.

. Heard.

2. The applicant is arrested in connection with Crime No.273/2022 registered with Police Station, Civil Lines, Akola for the offences punishable under Sections 302, 324 of the Indian Penal Code and Sections 4 and 25 of the Arms Act.

3. This is third bail application filed by the applicant on the ground of delay in trial. Earlier two bail applications were withdrawn with liberty to file a fresh if the trial is not concluded within a period of six months.

4. As the application is filed on the ground of delay in trial, the status report was called from the concerned Court. It appears from the report that four witnesses are examined and when the witness was present on 28.04.2025, the adjournment application was filed by the accused. On next two dates, the Presiding Officer was on leave and on 01.10.2025, P.W.-4 was examined.

5. As per the judgment of the Hon'ble Apex Court in the case of *X Vs. State of Rajasthan and Anr. [Special Leave Petition (Criminal) No.13378/2024]*, if the trial is commenced, then the bail cannot be granted.

6. The learned Counsel for the applicant has also relied on the order of this Court in the case of *Amol Dineshrao Jondhale Vs. The State of Maharashtra* [Criminal Application (BA) No.1091/2025] in support of his argument that this Court has released the accused on bail when the accused was in custody since 2022 and trial was not commenced.

7. On perusal of the said judgment it appears that in said case, the charge was not framed and, therefore, the bail was granted. In this case, the trial is commenced. The witnesses are examined. Considering the judgment of **X vs. State of Rajasthan and Anr.**, the direction is given to the Trial Court to conclude the trial within a period of three months from the date of the order of this Court.

8. The application stands disposed of.

9. If the trial is not concluded within a period of three months, then liberty is granted to the applicant to approach this Court again.

(MRS. VRUSHALI V. JOSHI, J.)