



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

BAIL APPLICATION NO. 1076 OF 2025

JAVED ALIAS BABLU MEHTABSAB BAGWAN

VERSUS

THE STATE OF MAHARASHTRA

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Advocate for Applicant : Mr. Gade Akash D.

APP for Respondent : Ms. P.V. Diggikar

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CORAM : RAJNISH R. VYAS, J.

DATE : 18TH MARCH, 2026

PER COURT :

1. The applicant/sole accused has preferred second bail application before this court in connection with FIR No. 0255/2022, for the offences punishable under Sections 302 and 324 of the Indian Penal Code, on the ground that there is a delay in conducting the trial.

2. This court vide its order dated 29.01.2026, has called status report of Sessions Case No. 6/2023, from the trial court. Accordingly, the report is submitted by the Additional Sessions Judge, Nilanga, District Latur, dated 05.02.2026, in which, it is stated that the charge was framed on 28.03.2024, and PW 1 was examined on 17.02.2025, PW 2 on 27.06.2025, PW 3 on 10.11.2025 and 17.11.2025. The report further shows that on 09.01.2026, though the witness was present, an application was preferred at the behest of the accused praying for adjournment and

cost was imposed. The next date, according to the report is 12.02.2026, for recording of the four witnesses. Though, the chargesheet shows that total 35 witnesses were cited but in the report, it is made clear that the concerned prosecutor has stated that he would be examining seven more witnesses.

3. The report thus would reveal that there is substantial progress in trial. The fact cannot be ignored that offence is under Section 302 of the Indian Penal Code, in which the present applicant is the sole accused and the accused had assaulted the victim by the knife on the chest and head. There is eye witness to the incident also.

4. In the aforesaid background and considering the fact that only ground which is argued is delayed in trial, I am of the opinion that since the prosecution has already examined three witnesses, commenting anything on the merit of the case on the basis of charge sheet may affect the outcome of the case. Thus, the present application is rejected. The fees of learned appointed counsel be quantified as per the rules.

(RAJNISH R. VYAS, J.)