



IN THE COURT OF SESSIONS JUDGE, GADCHIROLI

(Presided over by Shri V. R. Joshi)

Sessions Case No.37/2022

(State of Maharashtra P. S. Gadchiroli vs. Nitesh Laikdas Meshram+1)

Applicant/Accused no.1 : Nitesh Laikdas Meshram

O R D E R (Below Exh.67)

(Passed on : 19th December, 2025)

This is an application by accused no.1 Nitesh Meshram under Section 439 of the Code of Criminal Procedure/Section 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of bail.

2] The applicant/accused no.1 is under-trial prisoner and facing the trial for the offences punishable under Sections 302, 380, 460 r/w 34, 120B of the Indian Penal Code.

3] It is alleged that the accused no.1 in furtherance of common intention with accused no.2 committed murder of informant's son and committed theft of valuables.

4] It is argued on behalf of the applicant/accused no.1 that only two witnesses are examined by the prosecution, whose evidence is not yet completed. He invited this Court's attention towards the order passed by the Honourable High Court. It is his submission that as there is no progress in the matter, the applicant/accused no.1 is entitled to the bail.

5] On the other hand, Shri Kumbhare, Additional Public Prosecutor submitted that the prosecution has examined four witnesses, out of them evidence of two witnesses was deferred for want of muddemal property. Remaining two witnesses whose examination-in-chief is also completed were not cross-examined by the Advocate for the applicant/accused no.1, he did not attend the trial. This, according to

him, itself shows that the accused and his Advocate are not diligent to pursue the trial.

6] In this case, the evidence of P.W.1 was recorded on 25.9.2023 and 27.9.2023, evidence of P.W.2 was recorded on 3.5.2025. Further examination of P.W.2 had been deferred for want of the muddemal articles as those were not deposited in the Court. The evidence of P.W.3 is recorded and completed on 14.5.2025. Evidence of P.W.4 recorded and completed on 2.7.2025. At the time of cross-examination of P.W.3 and P.W.4, Advocate for the accused no.1 remained absent. Subsequently the prosecution has deposited the muddemal articles in the Court.

7] The submission of the learned Advocate for the accused no.1/ applicant is not correct that inspite of the directions of the Honourable High Court, trial has not progressed. In fact, perusal of the order dated **27.6.2025 in Criminal Application (BA) No.154 of 2025** passed by the Honourable High Court, shows that the Honourable High Court noted *prima facie* involvement of the applicant/accused no.1 in serious offence, there is possibility of tampering with the prosecution evidence.

8] The trial has progressed in his case. In view of all the above consideration, the present application is not entertainable. Hence, the following order :-

ORDER

Application (Exh.67) is rejected.

Place : Gadchiroli
19th December, 2025

(V. R. Joshi)
Sessions Judge, Gadchiroli