

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 1552 OF 2015

Subhanali Pribax Mirza ..Applicant

v/s.

The State of Maharashtra & Anr. ..Respondents

Mr. Satyawrat Joshi for the Applicant
Mr. Rajesh More, APP for the Respondent/State.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : NOVEMBER 18, 2015.**

P.C.

1. This is an application for bail filed by the applicant who is accused in Sessions Case No.471 of 2006, pending on the file of the Addl. Sessions Judge, Pune.

2. Heard Mr. Joshi, learned Counsel for the applicant and the learned APP for the State. I have perused the records.

3. The record prima facie reveals that the applicant herein was

arrested on 8.8.2003 in Crime No.298 of 2003 for offence under Section 302, 120B of the Indian Penal Code r/w. 135(1) of the Bombay Police Act registered with the Shahibaug Police Station, Ahmedabad, Gujrat. The applicant was released on bail on 29.8.2003 by the Sessions Court, Ahmedabad. Subsequently, transfer petition was filed before the Apex Court and the case came to be transferred from Ahmedabad Court to the Principal Sessions Judge, Pune and was re-numbered as Sessions Case No. 471 of 2006. Subsequently, the applicant failed to remain present and several warrants were issued against him, and ultimately he was taken into custody in 2015. The application for bail filed by the applicant in Sessions Case No.471 of 2006 came to be dismissed.

4. The records reveal that the applicant has not remained present before the Court for several years i.e. period of nine years, and as can be seen from the order of the Sessions Judge, Pune, the applicant was arrested on concerted efforts of the Maharashtra and Gujrat Police. The applicant had violated the conditions of the bail. The applicant had not given sufficient cause for not remaining present before the

court. The applicant is therefore not entitled for bail.

5. The application for bail is therefore dismissed.

6. Considering the fact that the incident had occurred in the year 2003, the Sessions Court is directed to expedite the trial and dispose of the case within the period of six months.

(ANUJA PRABHUDESSAI, J.)