

CRIMINAL BAIL APPLICATION NO.120 OF 2015

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DATED : 24TH FEBRUARY, 2015

P.C.

1. Heard Mr.Rathod, the learned counsel for the Applicant. Heard Mr.Thakre, the learned Additional Public Prosecutor for the Respondent/State.

2. The applicant's previous application for bail was rejected by me (B.A.No.1237 of 2014 decided on 13th August 2014). At that time, it was observed that the trial had already been directed to be expedited while rejecting the bail application filed by a co-accused. While rejecting the applicant's application for bail liberty was granted to the applicant to apply afresh for bail in the event of trial not being over within the period stipulated by

this Court in its order dated 14th July 2014 passed in the bail application filed by a co-accused (B.A.No.871 of 2014). Now the prayer for bail is renewed pursuant to the said liberty granted.

3. I have carefully gone through the order rejecting the applicant's previous application for bail. My opinion that there exists a prima facie case against the applicant is not changed.

4. However, the applicant is in custody since 8th January 2014. Moreover, a co-accused in this case has already been released on bail by an order dated 29th January 2015.

5. The learned Additional Public Prosecutor submits that yesterday a charge has been framed in the matter and that since the trial is now likely to be expeditiously held, the applicant may not be released on bail at this stage.

6. There is undoubtedly some substance in what the learned Additional Public Prosecutor submits, but the learned counsel for the applicant points out that his bail application has been pending since 15th January 2015. As aforesaid, since one of the co-accused has already been released on bail by this court; and since though the charge has been framed in the matter, the trial may not be over within a short time, I think it fit to release the applicant on bail, subject to certain conditions.

7. The application is allowed.
8. The applicant is ordered to be released on bail in the sum of Rs.30,000/-, with one surety in the like amount, or two sureties in the sum of Rs.15,000/- each, on the condition that the applicant shall not contact, meet or approach any of the prosecution witnesses in any manner whatsoever.
9. The trial Court shall continue to proceed with the trial expeditiously and endeavour to complete it as early as possible, notwithstanding the fact that the applicant and one more accused have already been released on bail.
10. Prayer for cash bail is rejected.

(ABHAY M. THIPSAY J.)