

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

CRIMINAL BAIL APPLICATION NO. 1587 OF 2015

Sunny Balu Chavan

..Applicant

v/s.

The State of Maharashtra.

..Respondents

Mr. S.S.Thombare for the Applicant

Mr.S.S.Patwardhan, APP for the Respondent-State.

**CORAM : SMT. ANUJA PRABHUDESSAI, J.
DATED : DECEMBER 05, 2015.**

P.C.

1. This is an application for bail filed by the aforesaid applicant who is facing trial in Sessions Case No. 353 of 2012 pending before the Sessions Court, Pune, for the offence punishable under Section 307, 120(B) r/w. 34 of the Indian Penal Code and under Section 3(25) of the Arms Act.

2. Mr. Thombare, the learned counsel for the applicant has stated that the co-accused in the said crime have already been acquitted. He

has submitted that considering the nature of the evidence adduced by the prosecution, the applicant is not likely to be convicted in the said case. He therefore claims that the applicant is entitled for bail.

3. The learned APP vehemently opposed the application on the ground that the applicant has been absconding for a period of about four years and as such there is possibility of the applicant hampering the trial.

4. I have perused the records and considered the arguments advanced by the learned Counsel for the applicant and the learned APP for the State. The records reveal that the applicant herein was absconding and was not available for over the period of four years and as such the trial had to be separated. Considering the conduct of the applicant, the apprehension of the prosecution that the applicant will not be available for trial cannot be brushed aside and appears to be reasonable.

5. Under the circumstances, in my considered view, the applicant is not entitled for bail. His application is rejected. Nonetheless, considering the fact that the other co-accused have already been acquitted, the learned Sessions Judge is directed to expedite the trial, and in any case to complete the trial within the period of six months from the date of receipt of this order.

(ANUJA PRABHUDESSAI, J.)