

Nalawade

FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 350 OF 2016

Sadafal Hariram Yadav Vs. State of Maharashtra

Office Notes, Office Memorandum of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Vivek Joshi for the Applicant.

Mr. Deepk Thakare, APP for the Respondent-State.

CORAM :A.S.GADKARI, J.

DATE : 03rd October, 2016

P.C.

This is an application under Section 439 of the Cr.P.C. preferred by the applicant on the ground of protraction of trial in Session Case No.571/2014 pending on the file of the 2nd Additional Sessions Judge, Thane. The applicant is an accused in offence under section 302, 323, 498A, 201 read with 34 of the Indian Penal Code. The earlier application preferred by the applicant before this Court came to be dismissed on merits by an order dated 10.2.2015.

The record further discloses that the subsequent application preferred by the applicant below Exhibit 26 on the ground of protraction of the trial before the Trial Court is rejected by it on 27.10.2015. While rejecting the said application below Exhibit 26 the trial Court has observed that the said Court is trying to conclude the trial as early as

possible. Three witnesses have already been examined and therefore, the applicant accused cannot be released on bail on the ground of protraction of trial. After perusing the documents annexed to the application and the impugned order. I am of the view that the said order dated 27.10.2015 is a just right and proper order passed by the Trial Court in view of the facts of the present application. There is no other ground raised in the application. In my view, there is no merit in the present application and the application is accordingly dismissed.

(A.S.GADKARI, J.)