

*Ladda*FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 185 of 2015

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 M.G. Shaikh i/by Smt. M.G. Kulkarni, for the applicant.
Ms P.P. Shinde, APP for the State.
P.S.I.Dhebe Prasad, Antop Hill P.S.present.

CORAM : A.S.GADKARI, J.
DATE : 15th January, 2016

P.C.

1) This is an application sent through jail. Heard the learned Counsel Smt. M.G.Kulkarni, appointed to represent the applicant and the learned APP for the State. The learned Counsel appointed for the applicant submitted that the applicant has been arraigned as an accused in CR No. 65/2014 registered with Antop Hill Police Station, Mumbai and the provisions of MCOC Act have been applied to the said CR. The applicant was initially lodged in the Arthur Road Jail. However, he was subsequently transferred to Thane Central Prison. That though the applicant has preferred application for bail the trial Court has not decided the same for the last six months. As far as his trial is concerned, she submitted that though there is video conference facility in the Thane Central Prison, the applicant is till date not produced before the trial Court via the video conferencing.

In the circumstances, she prayed that either the bail application of the applicant may be heard expeditiously or the applicant may be realized on bail by this Court.

The learned APP, on instructions, from the concerned officer submitted that the trial Court has allowed the application filed by the applicant on 17.6.2015 and the provisions of the MCOC Act have been held to be not applicable and therefore the said provisions are set aside from the said C.R. As far as the bail application preferred by the applicant is concerned, she on instructions submitted that the same is pending for hearing.

2) In view of the above, the learned Judge of the Special Court seized of the trial arising out of CR No.65 of 2014 registered with Antop Hill Police Station, Mumbai is directed to expeditiously hear the application preferred by the applicant for bail and to decide the same within the period of one month from the date of receipt of this order.

3) Before parting with the order, this Court places on record the appreciation about the efforts put in by the learned appointed Counsel Smt. M.G. Kulkarni to represent the applicant.

4) Registry is hereby directed to forward the copy of this order to the applicant who is in jail.

(A.S. GADKARI, J.)