

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

BAIL APPLICATION NO.2460 OF 2015

Rahim Munawar Pathan

... Applicant

Vs.

The State of Maharashtra

... Respondent

Mr. Tejesh Dande i/b Tejesh Dande & Asso. for the Applicant
Mr.S.S. Pednekar, APP, for Respondent – State

CORAM: Mrs.MRIDULA BHATKAR, J.

DATED: FEBRUARY 24, 2017

P.C. :

1. Charge is already framed in this case on 18.4.2016 and since then, there is no progress in the case. Therefore, this Bail Application was filed by the applicant/accused praying that the applicant/accused is languishing in the prison since last 6 years without trial and he be released on bail.

2. Read the report dated 13.2.2017 sent by Shri Surendra R. Sharma, District Judge-3 and Additional Sessions Judge, Nasik, reporting status of the Sessions Case i.e., MCOC Special Case No.1 of 2011 (State vs. Papya Salim Shaikh & 23 others). The report given by the learned Judge in respect of the progress in the

case is not satisfactory. The learned Judge has to proceed with the matter without giving any excuse by following all the available procedure in the Criminal Procedure Code especially under section 309, to complete the trial. He shall endeavour to conclude the trial till 31st July, 2017. Both the prosecution and the defence lawyers shall cooperate with the learned Sessions Judge in the case.

3. Liberty is granted to the applicant/accused to move this Court if the trial is not concluded on or before 31st July, 2017.

4. In view of the above, the Bail Application is disposed of.

(MRIDULA BHATKAR, J.)