

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL BAIL APPLICATION NO.194 OF 2018

Sagar Punjaji Bharude

Applicant

versus

The State of Maharashtra

Respondent

Mr.Datta Mane for applicant.

Mr.A.R.Patil, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 3rd July 2018

PC :

1. This is the second application for bail before this Court. The earlier application was rejected by order dated 9th June 2017. The applicant is charged for the offences u/ss.376 and 506 of Indian Penal Code as well as Sections 4, 8 and 12 of the Protection of Children from Sexual Offences Act, 2012.

2. Learned advocate for applicant submitted that the applicant is in custody for a period of about two years. It is submitted that this Court while rejecting the application for bail, had expedited the trial which was to be completed within six months. However, the trial is not concluded within the stipulated time. He further submitted that medical evidence does not support prosecution case.

3. Learned APP submitted that application for bail has been rejected on merits and all the submissions advanced by the advocate for the applicant were taken into consideration while rejecting the

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earlier application. He further submitted that the trial has commenced and one witness is examined by the prosecution. On instructions he further submitted that there are about eleven witnesses which the prosecution has cited in the case. However, it is not clear as to how many witnesses the prosecution intends to examine.

4. While rejecting the earlier application it was observed that the applicant has been attributed the role by the victim and considering the nature of crime committed by the applicant, the prayer for bail was rejected. The submission in relation to medical evidence was also taken into consideration while rejecting the application. In the circumstances, bail cannot be granted to the applicant. However, it is pertinent to note that trial was expedited vide order dated 9th June 2017 and the Court was directed to complete the trial within a span of six months from the date of receipt of order. The applicant is in custody for about two years. In the circumstances, since the trial has already commenced and one witness is examined by the prosecution, it is expected that the Trial Court would proceed with the trial and complete the same expeditiously. The Trial Court is, therefore, directed to conclude the trial within a period of three months from the date of receipt of a copy of this order. Bail Application No.194 of 2018 is disposed off in above terms.

(PRAKASH D. NAIK, J.)

MST