

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

CRIMINAL BAIL APPLICATION NO.785 OF 2018

Sharad Chandraparkash Agarwal	.. Applicant
Vs.	
The State of Maharashtra	.. Respondent

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Mr.Girish Kulkarni a/w. Mr.Prashant Mairale, Mrs.Shweta R. Rathod & Mrs.Anuja Karia, Advocate for the Applicant.
Mr.A.R. Patil, APP for the Respondent - State.
Mr.Surve, API, DCB, CBI, Mumbai, present.

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CORAM : PRAKASH D. NAIK, J.

DATED : JULY 20, 2018.

P.C. :

This is an application for bail in connection with C.R.No.261 of 2015, registered with RCF Police Station at Mumbai. The investigation was completed, and, thereafter, charge-sheet was filed for the offences punishable under Section 387 read with Section 34 and Section 115 read with Section 302, 120-B of IPC and Sections 3(1)(ii), 3(2), 3(4) of the Maharashtra Control of Organized Crime Act (hereinafter referred to as "MCOC Act", for short.

2 This Court by order dated 6th July, 2017, rejected earlier application preferred by the applicant.

3 Learned counsel representing the applicant submits that considering the role assigned to the applicant and also in the light of the fact that the applicant is in custody since 5th December, 2015, prayer for grant of bail be reconsidered. It is submitted that the applicant is a businessmen and is not a person having criminal antecedents. The role assigned to him is very limited and assuming that he is convicted, it would not attract severe punishment. Applicant has also raised other grounds on the merits of the case in the application.

4 Learned APP, on instructions from the investigating officer who is present in Court, submitted that the prosecution proposes to examine about 65 witnesses. On the next date, draft charge will be submitted to the trial Court. It is also submitted that the trial Court is overloaded with several cases. It is submitted that the trial Court is dealing with several cases which are expedited by the High Court. Earlier application preferred by the applicant was rejected by assigning reasons and no ground is made out for reconsidering the relief of bail.

5 While rejecting the earlier application, this Court has taken into consideration the grounds raised by the applicant for grant of bail. By assigning several reasons as contained in order dated 6th July, 2017, application was rejected. The applicant is facing prosecution for offences which includes the offence under the MCOC Act. Taking into consideration all these factors, no case for allowing this application is made out. The application stands rejected.

(PRAKASH D. NAIK, J.)