

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

BAIL APPLICATION NO.2074 OF 2018

Vinod Yadav alias Guddu Applicant

Vs.

The State of Maharashtra Respondent

Ms. Pooja Sejpal I/by Mr. Nitin Sejpal for the Applicant
Mr. Ajay Patil, APP for the State.

Coram : SMT. SADHANA S. JADHAV, J.
Date : 11th October 2018.

P.C.:

1 This is a subsequent application. The earlier bail application was rejected by this Court, on merits, vide order dated 22nd September 2016. The charge is framed on 9th February 2017.

2 Learned counsel for the applicant has placed on record the copy of Roznama, which shows that on several dates in the year 2017, the accused was not produced before the Court and hence the matter could not be proceeded with. It further appears from the

Roznama that from 17th January 2018, the accused was produced before the Court, however, the Court was vacant and therefore the matter could not be proceeded with. Thereafter on 31st January 2018, he was not produced. He was present before the Court on 15th January 2018 and the matter was fixed for proceeding with the matter under Section 294 of Cr.P.C. on 3rd March 2018 and witness summons are issued on 19th March 2018. The matter is adjourned before the trial Court at the request of the learned counsel for the applicant, since May 2018 probably on the ground that the application for bail is pending before this Court.

3 The pendency of the bail application shall never be construed as a stay to the proceedings before the Sessions Court but since the matter was adjourned at the request of the accused himself, the applicant has not been able to make out the case for grant of bail on the grounds of delayed trial. In any case, the witness summons are issued.

4 Learned Sessions Court, Raigad seized with Sessions Case No.78 of 2016 shall make every endeavour to conclude the recording of evidence as far as possible by 30th June 2019.

5 With these observations, the application stands dismissed.

(SMT. SADHANA S. JADHAV, J.)