

Santosh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1487 OF 2018

IN

CRIMINAL BAIL APPLICATION NO. 277 OF 2018

Vinod Balu Patil

...Applicant

Versus

The State of Maharashtra

...Respondent

Mr. Balwant Salunkhe, for the Applicant in BA No.277/18.

Mr. Ajay Patil, APP for the State/Respondent.

CORAM: A. S. GADKARI, J

DATED: 12th December, 2018

PC:-

1. This is an application received through jail for relaxation of condition imposed by an order dated 19th September, 2018. The bail application preferred by the applicant bearing Bail Application No.277 of 2018, was dismissed as withdrawn by the co-ordinate Bench (Smt. Anuja Prabhudessai, J.) with liberty to the applicant to file a fresh application for bail, in the event the trial is not concluded within a reasonable period of one year. The applicant in the present application has stated that, the period of one year commencing from 19th September, 2018, there are 113 holidays and it will not be possible for the Trial

Court to conclude the trial within balance period of days. He has further stated that, there are various cases pending on the file of the Special Judge at Nashik, therefore, probability of conclusion of his trial is blink.

2. Be that as it may, after perusal of the record, this Court is of the view that, the liberty granted to the applicant to file a fresh application for bail in the happening of particular event i.e. non-conclusion of trial within a period of one year, is a reasonable condition and needs no modification in that behalf. The co-ordinate Bench had granted liberty to the applicant for filing fresh application and the said liberty made available need not be modified on some assumptions of the applicant. In view thereof, I find no reason to modify the said condition.

3. Application is accordingly rejected.

[A. S. GADKARI, J.]