IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL (BA) NO. 215/2018

Shobhit Pramod Bhamrotwar
..VS..
State of Maharashtra, Through PSO, P.S. Ambazari, Tah. Nagpur, Dist. Nagpur

Office Notes, Office Memoranda of Coram, appearances, Court's orders of directions and Registrar's orders	Court's or Judge's orders

Shri S.K. Mishra, Sr. Adv. a/b Shri M.N. Ali, Adv. for the applicant(s)
Ms. M. Deshmukh, APP for the non-applicant

CORAM : Z.A.HAQ, J.
DATED : 16/04/2018

Heard.

Earlier bail application filed by the applicant is disposed by this Court by order dated 06/12/2017, as withdrawn. This Court granted liberty to the applicant to move fresh application if trial does not commence within three months. Now, this application is filed praying that the non-applicant be directed to release the applicant on bail as the trial has not commenced, and the co-accused are released on bail.

The application is opposed by the prosecution on the ground that the commencement of the trial is delayed by the accused who are released on bail. The learned Senior Advocate for the applicant has strongly objected to the above submission made on behalf of the prosecution.

A counter case registered vide F.I.R No. 282/2016 is also pending. It is reported that Criminal Writ Petition No. 195/2018 is filed by the complainant on whose report F.I.R. No. 282/2016 is registered and in that writ petition the

Division Bench of this Court has stayed the proceedings of Sessions Trial No. 441/2017.

The learned APP has submitted that the program for Sessions trial might be fixed within a fortnight, next date before the Sessions Court being 20/04/2018.

Considering the facts of the case and after hearing the learned Senior Advocate for the applicant and the learned APP, I find that the applicant has not been able to point out any change in the circumstances on the basis on which the prayer made in the application can be granted.

This application is dismissed however liberty is granted to the applicant to move application after six weeks, if the trial does not commence.

JUDGE

Ansari