

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO.104 OF 2019

Dinkar Naga Bhoir	...	Applicant
V/s.		
The State of Maharashtra	...	Respondent

Mr.Jacob D. Manoharan, Advocate for the Applicant.

Mr.S.V.Gavand, APP for the Respondent/State.

CORAM : A.M.BADAR J.

DATED : 5th MARCH 2019.

P.C. :

1 Heard the learned Counsel appearing for the applicant/accused. He argued that the charge-sheet is not containing the cell number of the decoy customer. That was necessary. It was further argued that the FIR is not attributing any role to the applicant in the crime in question.

2 The learned Additional Public Prosecutor opposed the application by contending that the trial has begun and no case for grant of bail is made out.

3 I have considered the submissions so advanced.

4 Earlier Bail Application bearing No.1519 of 2017 filed by the applicant after filing of the charge sheet was duly considered and decided on merits. It came to be rejected. As such, now reopening the merits of the case is not permissible. True it is that this Court has directed the learned trial Court to expedite the trial and decide the case within a period of one year from the date of communication of the said Order. The same is not yet over. However, that by itself is not the ground for grant of bail to the applicant/accused. In the result, the application is rejected.

5 Call for explanation of the learned trial Court as to why despite Order dated 6th November 2017, the trial is not completed within a period of one year from the date of communication of the said Order.

6 Put up along with explanation on **8th April 2019.**

(A.M.BADAR J.)