

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.192 OF 2019

Filman Barhan Ghebramariyam

Applicant

versus

The State of Maharashtra

Respondent

Mr.Satyavrat Joshi for applicant.

Smt.Geeta P. Mulekar, APP, for State.

CORAM : PRAKASH D. NAIK, J.

DATE : 13th December 2019

PC :

1. This is an application for modification of order dated 1st March 2018 passed by Additional Sessions Judge, Pune, granting bail to the applicant in NDPS Case No.6 of 2018. The applicant was directed to be released on bail on executing PR bond of Rs.1 lakh with one or two sureties in the like amount.

2. Learned advocate for applicant submitted that although he was granted bail by order dated 1st March 2018, he continued to be in custody for want of executing PR bond as stipulated in order dated 1st March 2018. It is submitted that the applicant may be released on cash bail so that he may avail of the bail facility. It is also submitted that passport of the applicant is in custody of investigating officer.

3. Learned APP, on instructions, submitted that trial has commenced and one witness has been examined. The next date for hearing before the Sessions Court is on 2nd January 2020. The case is posted for recording evidence of panch witnesses. The prosecution proposes to examine about 10 witnesses.

4. Considering the fact that the applicant is a foreign national, the request of cash bail cannot be granted. However, considering the fact that trial has already commenced, the Sessions Court can be directed to conclude the trial expeditiously. Since the prosecution intends to examine about ten witnesses out of which one witness has been examined, the Sessions Court shall conclude the trial within four months. Criminal Application No.192 of 2018 is disposed of in above terms.

(PRAKASH D. NAIK, J.)

MST