

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 2998 OF 2018
(THROUGH JAIL)**

Raju Vishnu Avhad	...Applicant
Versus	
The State of Maharashtra	...Respondent

Ms. Heena Suvarnakar, appointed Advocate for the Applicant

Mr. A. R. Kapadnis, A.P.P for the Respondent-State

PSI Mr. Joshi from Crime Branch, Bhiwandi, is present

CORAM : REVATI MOHITE DERE, J.
MONDAY, 10th JUNE 2019

P.C. :

1 Heard learned counsel for the applicant and the learned A.P.P
for the State.

2 By this application sent through jail, the applicant seeks his
enlargement on bail.

3 Learned A.P.P, on instructions, states that till date, 26 witnesses
have been examined and 10 more witnesses are to be examined.

4 Having regard to the aforesaid, it is not necessary to consider the application of the applicant for bail, at this stage. Accordingly, the application is disposed of, with a direction to the learned Sessions Judge to expedite the aforesaid case.

5 It appears that in 2016, this Court (Coram : A. S. Gadkari, J.) vide order dated 29th January 2016 had noted the submission of the learned A.P.P that according to the prosecution, the trial would be concluded within 6 months. More than 3 years have passed, however, till date, the trial is still moving at a snail pace. The applicant has been languishing in custody since 2010. Almost 9 years have elapsed. The right to speedy trial is a right of the accused under Article 21 of the Constitution. The learned Sessions Judge shall take up the said case on day-to-day basis and dispose of the same as expeditiously as possible and in any event, within 6 months from the date of receipt of this order..

6 The application is accordingly disposed of.

7 Registry to communicate the aforesaid order to the applicant,
who is lodged in Taloja Central Prison, Kharghar, Navi Mumbai.

REVATI MOHITE DERE, J.