

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPLICATION (BA) NO.575/2019

Nitesh @ Bandya Naresh Barahate Vs. State of Maharashtra, through PSO,
P.S. Lakadganj, Nagpur

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.

Court's or Judge's orders.

Mr. M.N.Ali, Advocate for the applicant
Mr. J.Y. Ghurde, A.P.P. for non applicant / State.

CORAM : V. M. DESHPANDE, J.
DATED : SEPTEMBER 03, 2019

Heard Mr. M.N. Ali, the learned counsel for the
applicant and Mr. J.Y. Ghurde, the learned Additional Public
Prosecutor for non-applicant/State.

The applicant's first application i.e. Criminal
Application (BA) No.954/2017 was allowed to be withdrawn
on 12.10.2017. Thereafter, second bail application i.e.
Criminal Application (BA) No 97/2018 was allowed to be
withdrawn on 16.02.2018. The present is the third
application. It is always open for the accused to file
successive bail applications, however only he will have to
point out change in circumstance. According to the learned
counsel Mr. M.N. Ali, since trial is stuck up he is required to
move this application.

This application was listed before this Court on
27.08.2019. On the said date, Mr.Ghurde, the learned
Additional Public Prosecutor took time to take instructions
from the learned Public Prosecutor in-charge of Sessions

Trial No.192/2017.

Mr. Ghurde, the learned Additional Public Prosecutor submitted that he has instructions from the learned District Government Pleader of Nagpur who is in-charge of Sessions Trial No.192/2017 and he is conducting the prosecution. Mr. Ghurde, the learned Additional Public Prosecutor would submit that as per instructions given to him as on today five witnesses are already examined and though, 43 witnesses are cited, the prosecution may not examine all the witnesses. The learned Additional Public Prosecutor, on the instructions given by the learned District Government Pleader, submitted that the trial will be completed within 3½ months from today.

Statement accepted.

In view of the aforesaid, the present application is disposed of as withdrawn.

The learned Additional Sessions Judge, Nagpur on whose file Session Trial No.192/2017 is pending is directed to complete the trial within a period of six months from the receipt of this order.

The application is disposed of.

JUDGE