

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO.628 OF 2020**

Rohit Raju Rasage ... Applicant

V/s.

State of Maharashtra ... Respondent

Mr. Santosh Pawar, for the Applicant.

Ms. P.P. Shinde, APP for the Respondent - State.

CORAM : SMT. SADHANA S. JADHAV, J.

DATED : 21st DECEMBER 2020.

P.C. :

1. This is a subsequent application seeking enlargement of bail in Sessions Case No.831 of 2017. The previous application was withdrawn before this Court when the Court had expressed an inclination to reject the said application. It appears that the applicant herein is arrested on 28th July 2017 and the charge is framed on 18th August 2019. The accused is being produced before the Court on each and every date. However, the matter is being adjourned on the ground that the witnesses were not present. In fact, it is the duty of the prosecution to ensure the presence of the witnesses at the time of trial. The learned Sessions Court shall secure the presence of the witnesses

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by issuing bailable warrants if necessary. It is the duty of the prosecution to see that the trial is expedited and proceeds on each and every scheduled date. There is no change in circumstances to consider the application on merits except the fact that the trial is being delayed by the prosecution. In view of this, the learned Sessions Court is hereby directed to commence the recording of evidence from 15th February 2021 and shall make every endeavour to conclude the trial within one year. With these directions, the application is disposed of.

(SMT. SADHANA S. JADHAV, J)