

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

CRIMINAL APPLICATION (BA) NO.113 OF 2020

(Suraj s/o Yelgun Gaikwad ..vs.. State of Maharashtra, through PSO, PS Ranapratap Nagar, Nagpur)

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

Court's or Judge's orders

Shri S.P. Sonwane, Counsel for the applicant,
Shri P.S. Tembhare, Addl.P.P. for the non-applicant.

CORAM : ROHIT B. DEO, J.

DATED : 04-03-2020

The applicant had approached this Court in Criminal Application (BA) 794/2018, which was withdrawn since this Court was not inclined to grant bail.

2. However, liberty was given to apply fresh before the learned Sessions Court, if trial is not concluded within a period of six months.

3. It is in pursuance of this liberty that the applicant approached the Sessions Judge for bail, but in vain.

4. I have heard the learned Counsel for the applicant.

5. I am not inclined to grant bail.

6. The submission of the learned Counsel for the applicant that the applicant is entitled to bail on the

ground of parity is considered only for rejection.

7. The case of the prosecution is that the frontal assault with a knife was launched by the present applicant. It was only at a much later stage, that the co-accused Akash, who is released on bail, inflicted some injuries on the deceased.

8. The manner in which the deceased was brutally assaulted, that the assault took place in full public view and in a busy commercial and residential area of Nagpur, would disentitle the applicant to grant bail only on the ground of delay in the completion of the trial.

9. The application is dismissed.

JUDGE

adgokar