

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

906 BAIL APPLICATION NO.1273 OF 2020

TANAJI NARAYAN SATHE

VERSUS

THE STATE OF MAHARASHTRA

...

Mr. G.J. Kore, Advocate for applicant

Mr. N.T. Bhagat, APP for respondent

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CORAM : SMT. VIBHA KANKANWADI, J.

DATE : 11th FEBRUARY, 2021.

PER COURT :

1 Learned Advocate Mr. G.J. Kore seeks accommodation for a week. In fact, it is to be noted that from 08.12.2020 the learned Advocate for the applicant is seeking accommodations to file the copy of the charge sheet on record, till today it is not filed. This appears to be the lethargy on the part of the learned Advocate for the applicant. Another fact, that is required to be noted is that the applicant had filed Bail Application No.884 of 2019. It has been disposed of on 27.08.2019. Even at that time this Court had considered the charge sheet and it was specifically observed that the Court is not inclined to grant bail to the present applicant. It can also be seen that the learned Trial Judge i.e. Special Judge (MCOC Act), Aurangabad has given a

communication on 07.12.2020 for extension of time to dispose of two cases on merits i.e. Special (MCOCA) Case No.4/2014 and Special (MCOCA) Case No.6/2012. Both the cases are part heard. Learned APP informs that 25 witnesses have been already examined, when the matter was before Special Judge (MCOC Act), Aurangabad and it is then stated that the cases have been transferred to Osmanabad. It appears to be that in view of the decision taken to grant jurisdiction to try MCOCA cases at each district place. Under such circumstance, now again the fresh summons will have to be issued and also the fact that due to pandemic situation the trial could not have been progressed for about a year. Under such circumstance, no fresh ground or change in circumstance has been shown, which requires fresh consideration. Already the trial has been expedited and made time bound under the orders of this Court. Therefore, the application stands rejected.

(Smt. Vibha Kankanwadi, J.)

agd