

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION***

CRIMINAL BAIL APPLICATION NO. 818 OF 2021

Bhagwati @ Pattu Satydev Gupta	...Applicant
Versus	
The State of Maharashtra	...Respondent

Mr. Rajkumar Yadav for the Applicant

Ms. Veera Shinde, A.P.P for the Respondent–State

PSI Mr. P. I. Chaudhari (I.O.) from Kalwa Police Station, Thane, is present

CORAM : REVATI MOHITE DERE, J.
MONDAY, 8th MARCH 2021

P.C. :

1 Heard learned counsel for the parties.

2 This is the third bail application preferred by the applicant. The first bail application of the applicant was dismissed as withdrawn vide order dated 5th March 2018 and the applicant's second bail application was rejected on merits vide order dated 1st March 2019. Whilst rejecting the application on merits vide order dated 1st March 2019, the material as

against the applicant was dealt with, in detail. This Court, however, whilst rejecting the said application, vide order dated 1st March 2019, expedited the trial of the applicant and the learned Sessions Judge was directed to make an endeavour to dispose of the said case as expeditiously as possible and in any event, within 12 months from the date of receipt of the aforesaid order.

3 A perusal of the Roznama shows that the applicant was not produced on a number of dates. It appears that only in 2020, an Advocate was appointed by the applicant to appear on his behalf. From March 2020, there was lock-down, as a result of which, the trial could not proceed. With the new SOPs in place, now there is no impediment for the trial to proceed.

4 There is no change of circumstance, warranting reconsideration of the application for bail. The same is accordingly rejected.

5 It is informed that the next date in the trial Court is 20th March 2021. The learned Sessions Judge seized of the said case being Sessions Case No. 261/2017 to dispose of the said case as expeditiously as possible and in any event, within 9 months from the date of receipt of this order.

6 Learned A.P.P assures that the Superintendent, Taloja Central Prison as well as the concerned Officer of LCB will take all steps to produce the applicant on all the dates given by the trial Court, either physically or through video-conferencing. Learned A.P.P also assures that the prosecution will not seek any adjournment and would proceed with the case.

7 It appears that on the last few dates, the accused was not produced and his Advocate was also not present. The applicant and his Advocate to also cooperate in the expeditious disposal of the trial.

8 Registry to communicate this order to the learned Sessions Judge seized of the said case being Sessions Case No. 261/2017, by fax.

REVATI MOHITE DERE, J.