

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

CRIMINAL APPLICATION (BA) NO.245 OF 2021

(Bhaskar s/o Austin Joseph Vs. State of Maharashtra thr. PSO PS Sitabuldi, Nagpur)

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

Court's or Judge's orders.

Mr. D.V. Chauhan, Advocate for Applicant.
Mr. N.S. Rao, APP for Non-Applicant/State.

CORAM: ROHIT B. DEO, J.

DATE: 7th JULY, 2021.

Hearing was conducted through video conferencing and the learned counsel agreed that the audio and visual quality was proper.

2. In all fairness the learned counsel for the applicant Mr. Devendra Chauhan invites my attention to the order dated 17.06.2021 rendered by the Division Bench in Criminal Writ Petition 249/2021 which extends the time to decide the Special MCOC Case 3/2013 by six months.

3. Mr. Devendra Chauhan did make an attempt to persuade me to grant bail in view of the observations of the Hon'ble Supreme Court in *Union of India v. K.A. Najeeb (2021) 3 SCC 713*.

4. While I am respectfully bound by the articulation of the Hon'ble Supreme Court, the fact that the trial is already make time bound is relevant.

5. Nonetheless, since the right to speedy trial is a valuable right, the applicant is certainly entitled to seek bail on the ground of inordinate delay in trial.

6. I have no reason to assume that the time bound trial shall not be concluded expeditiously.

7. However, if for any reason whatsoever, the trial is not concluded within the period stipulated by this Court, the applicant shall be entitled to seek bail on the ground of undue delay in the culmination of the trial.

8. Subject to the aforesaid observations, the application is disposed of.

JUDGE