

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

CRIMINAL APPLICATION(BA) NO. 424 OF 2021

Shuddhodan alias Golu Ashok Ingale

..vs..

State of Maharashtra, thr. P.S.O.

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

Court's or Judge's orders

Shri S.V. Sirpurkar, Advocate for Applicant.
Shri S.A. Ashirgade, A.P.P. for Non-applicant.

CORAM : VINAY JOSHI, J.
DATED : 30/06/2021

Hearing was conducted through Video Conferencing.

2. Heard. This is a second bail application of the applicant/accused in Crime No.209 of 2019 registered at Channi Police Station, District Akola. Earlier Bail Application No.1189 of 2019 was disposed of since withdrawn, as this Court has shown its' non-inclination to grant bail vide its' order dated 22.01.2020. While disposing the said application, this Court has directed to expedite the trial and to decide the case within a period of one year i.e. till the end of January, 2021. Later on, vide order dated 19.03.2021, this Court has extended the period by four months i.e. up-to 19.07.2021.

3. The Applicant is claiming bail, primarily on the ground that, he is in jail since 23.08.2019.

Perhaps, the delay in conducting the trial is the prime ground for once again agitating the claim for bail.

4. Today, upon instructions, learned A.P.P. appearing for the non-applicant/State would submit that the informant's evidence is recorded and now, the case is for recording the victim's evidence, but as her statement is under Section 164 was not available, the matter was adjourned. On the other hand, Shri S.V. Sirpurkar learned Counsel appearing for the applicant/accused, upon instruction from the Counsel conducting the trial, has submitted that now, the case is fixed on 08.07.2021 for formal hearing. The extended time is up-to 19.07.2021 to complete the trial. Since, the victim is yet not examined, some more time has to be granted for that purpose. The prosecution is directed to secure the presence of the victim on next date of the hearing. The Applicant shall co-operate to cross-examine the victim, at the earliest.

5. In view of that, at present, no propriety to reconsider the claim, hence, the application stands disposed of with liberty to approach this Court after 19.07.2021.

6. Registry to communicate this order to the Trial Court for taking expedite steps.

JUDGE