

Vidya Amin

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

BAIL APPLICATION NO. 528 of 2022

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

Mr. Ajit M. Savagave for the applicant.
Mr. S.H. Yadav, APP for the State.
Mr. Sagar Sangave, PSI, Kalwa Police Station present.

**CORAM : BHARATI DANGRE, J.
DATE : SEPTEMBER 20, 2022.**

P.C.:

1. The applicant is incarcerated since five years and it is seen that on two occasions his application was rejected and the trial was directed to be expedited.

Considering the long incarceration, I heard learned counsel for the applicant but I am unable to persuade myself to release him on bail in the wake of the material compiled against him in the charge-sheet. Learned counsel for the applicant, therefore, seeks permission to withdraw the application.

2. Learned APP states that the trial has now commenced and the complainant is in the witness box, however, there are in all 27 witnesses which are to be examined.

On previous dates when the trial was made time bound, it apparently did not yield any result and therefore, I do not intend to pass

a similar order. However, a request is made to the Sessions Judge to deal with Sessions Case No. 261 of 2017 expeditiously and preferably by conducting the sessions case on day-to-day basis considering the fact that the applicant is incarcerated for last five years and he deserve a fair and speedy trial, which is a right guaranteed to him under the Constitution. I can only hope and trust the learned Judge who shall keep this important aspect in mind.

3. Permission granted. Application is disposed of as withdrawn.

(SMT. BHARATI DANGRE, J.)