

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

CRIMINAL BAIL APPLICATION NO. 1407 OF 2020

Umar Zainil Abedin Shaikh ...Applicant
Versus
The State of Maharashtra ...Respondent

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Ms. Jyoti R. Sahu, Advocate for the Applicant.

Mr. Arfan Sait, APP for the Respondent – State.

Mr. Sunil Yadav P.I. (I.O.) Vakola Traffic, Mumbai Present.

CORAM : PRAKASH D. NAIK, J.
DATE : 8th JULY, 2022.

PER COURT:

1. This is third application for bail. The previous application was rejected by this Court on merits. The grievance of the applicant is that he is in custody for a period of about 5 years. The application was listed before this Court on 24th June, 2022 and learned APP on instructions had submitted that the prosecution is ready with two more witnesses and they will be examined on the next date of hearing. It appears that, thereafter, the prosecution has examined one witness.

2. Learned APP on instructions submits that so far the prosecution has examined 22 witnesses and three more witnesses are to be examined, viz. two investigating officers and one Medical officer.

3. learned Advocate for the applicant submitted that, for a period of about five years the applicant is in custody. The prime witnesses has not supported the prosecution case. Hence, the applicant may be released on bail.

4. In rejoinder learned APP submitted that the prosecution is examining witnesses relating to circumstantial evidence against the Applicant.

5. It is pertinent to note that the prosecution has so far examined 22 witnesses and three more witnesses are to be examined. Next date before the trial Court is on 13th July, 2022 and it is expected that the trial Court would to examine witnesses. The prosecution would produce the witnesses before the Court and trial Court would make and endeavour to conclude the trial within a period of six weeks from the date of receipt of this order. In these circumstances, the application is rejected.

(PRAKASH D. NAIK, J.)