

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO. 96 of 2023

Bilal Changesh Khan .. Applicant
Versus
The State of Maharashtra .. Respondent
...

Mr.Mujahid Ansari for the applicant.
Mr.S.R. Agarkar, APP for the State.

CORAM: BHARATI DANGRE, J.
DATED : 16th OCTOBER, 2023

P.C:-

1 When specifically asked whether there is any change in the circumstances, since the date when the first application was disposed off as withdrawn on 17/8/2022, when I had expressed my disinclination to entertain the application on merits, on perusal of the material compiled against the applicant, the learned counsel fairly sate that there is no change in circumstance, but the trial has not proceeded.

He would express his desire to argue the application on merits which I do not think is a permissible course.

Once the application was to be decided by me on merits, the option open was to invite an order and challenge the same in the Apex Court.

Furthermore, it is not too long a period which could be said to release the applicant on bail in the wake of the serious charges faced against him u/s. 8(c), 22(c) and 29 of The Narcotic Drugs and Psychotropic Substances Act, 1985

He came to be arrested on 15/12/2020. Hence, the application deserve to be rejected.

2 The above observation shall not preclude the applicant from approaching this Court on noting that the trial is not moving ahead and he has been incarcerated for a considerable period of time.

Application is dismissed.

(SMT. BHARATI DANGRE, J.)