



PMB

5.ba.863-23.odt

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

BAIL APPLICATION NO.863 OF 2023

YOGESH @ BALA SHENDKAR
VS.

..APPLICANT

THE STATE OF MAHARASHTRA

..RESPONDENT

Adv. Satyam Nimbalkar a/w Adv. Abhishek Arote for the
applicant.

Ms. Veera Shinde, APP for the State.

CORAM : M. S. KARNIK, J.

DATE : SEPTEMBER 21, 2023

P.C. :

1. Heard learned counsel for the applicant and learned
APP for the State.

2. On merits the application for bail was rejected by this
Court on 23.11.2021 in Bail Application No.2915 of 2021.
Learned counsel for the applicant submitted that
considering that the applicant is incarcerated for more than
four years and nine months, the applicant is entitled to be
enlarged on bail. Before the trial Court the charge has been
framed. There are 25 witnesses to be examined. Learned
counsel for the applicant submitted that there is no

possibility of the trial even commencing as the trial Court is already assigned the matters under the Maharashtra Control of Organised Crime Act, 1999 and the Narcotic Drugs and Psychotropic Substances Act, 1985 as a Special Court. In the present facts, at this stage I am not inclined to enlarge the applicant on bail on the ground of long incarceration as I find it appropriate to request the trial Court to expedite the trial.

- 3.** Liberty to apply for bail after six months if the trial does not progress substantially.
- 4.** The application is disposed of.

(M. S. KARNIK, J.)