

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

BAIL APPLICATION NO. 2521 OF 2021

Faiyaz Ibrahim Nakhuda @ Sannata ..Applicant

VS.

The State of Maharashtra ..Respondent

Senior Advocate Manoj Mohite i/b Adv. S.R. Phanse a/w Adv. Husen Shaikh a/w Adv. Rumman Shaikh for the Applicant.

Mr. S. H. Yadav, APP for the State.

J.V. Lembhe, PSI, Anti Extortion Cell, Crime Branch Mumbai is present.

CORAM : M. S. KARNIK, J.

DATE : JANUARY 9, 2023

P.C. :

1. Heard learned Senior Advocate Shri Mohite for the applicant and learned APP for the State.

2. Shri Mohite argued the application on merits. It is one of the contention that the applicant has been falsely implicated and this is the only case registered against him. The statement was made that so far as the applicant is concerned, there is no commonality between the members of the syndicate and the applicant in the commission of the alleged offence under the Maharashtra Control of Organised Crime Act, 1999.

3. Learned APP in response submitted that the trial has already commenced and as many as 3 witnesses have been examined. On instructions, it is submitted that a maximum of 8 to 10 more witnesses will be examined by the prosecution.

4. In this view of the matter, considering the stage of the trial, Shri Mohite fairly submitted that the trial could be expedited in which case he will not press this application for bail at this juncture.

5. Taking an overall view of the matter and the stage at which the trial is, the trial court is requested to expedite the trial and conclude the same within a period of 5 months from the date of production of this order. Liberty to apply if the trial is not concluded. It is made clear that I have not considered the matter on merits. With these observations, the application is allowed to be withdrawn and disposed of accordingly.

(M. S. KARNIK, J.)