

Akhtar Abdul Qayyum Khan .. Applicant

Versus

The State of Maharashtra .. Respondent

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Mr. Sandesh Manikkhedkar with Ashokvardhan Purohit i/b
Avinash Purohit for the applicant.
Ms.S.S.Kaushik APP for the State.

CORAM: BHARATI DANGRE, J.
DATED : 5th DECEMBER, 2023

P.C:-

1 On 31st March 2021, by way of a detailed order, the
Bail Application filed by the applicant who face accusation in
MCOCA along with Section 143, 144, 147, 427, 387 of the IPC,
seek his release on bail.

2 The first order in detail has analysed the material available against the applicant in the charge-sheet and apart from this, by referring to his criminal antecedents in form of 14 offences being registered against him, the Application was rejected.

The Bail Application filed on the second occasion do not permit me to reach a conclusion other than the one which I had recorded in the earlier order and the only change in the circumstance which the learned counsel would press into service is, that the trial is not concluded.

In MCOC Special Case No.13/2017, it is informed that eight witnesses are already examined and the prosecution intend to examine maximum 30 witnesses in totality. It is not the case that the trial has not commenced, and once the trial has commenced, no doubt the Special Judge assigned with the said trial has made every effort to conclude it expeditiously. with the criminal antecedents attributed to the applicant and his role that has surfaced through the charge-sheet, the second Bail Application cannot be entertained and hence, it is dismissed.

(SMT. BHARATI DANGRE, J.)