

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO. 2867 OF 2022**

WITH

INTERIM APPLICATION NO. 198 OF 2023

Emmanuel Samuel Amolik

...Applicant

Versus

The State of Maharashtra

...Respondent

.....

Ms Sudha Dwivedi a/w Mr. Vinod Gupta a/w Mr. Aditya Sharma a/w
Mr. Irfan Khan a/w Mr. Prashant Trivedi i/b Mr. Krushnavati for the
Applicant.

Ms A. S. Pai, Spl. PP for the State.

Mr. Himanshu Kode a/w Ms Ameya Lambhate for the Intervener.

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CORAM : N.R. BORKAR, J.

DATED : 24 FEBRUARY 2023

P.C. :-

This is an application filed under Section 439 of the Code of Criminal Procedure, 1973 for bail.

2. The bail is sought on the ground of prolong incarceration as an under-trial.

3. The learned counsel for the applicant submits that the applicant is in jail for more than 10 years and the trial is not likely to conclude in near future.

4. The learned Spl. PP submits that the prosecution has already examined 69 witnesses and very few witnesses remained to be examined. The learned Spl. PP on instructions submits that if the trial is not concluded within six months, the State will not oppose the application for bail of the applicant.

5. In view of the above statement of the learned Spl. PP, I am not inclined to entertain the present application. Application is disposed of.

6. Interim Application does not survive and the same stands disposed of.

Digitally
signed by
MANGALTAI
JAYWANT
JADHAV
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(N.R. BORKAR, J.)