

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
BAIL APPLICATION NO.3376 OF 2022

Aashish @ Gorya Chaandrakant .. Appellant
Gurav

Versus

The State of Maharashtra .. Respondent

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Mr.Vinod Kashid for the Applicant.
Ms.A.A.Takalkar, A.P.P. for the State.

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CORAM: BHARATI DANGRE, J.
DATED : 13th MARCH, 2023

P.C:-

1. On 06/10/2022, I had rejected the bail application of the applicant, considering the material collected by the prosecution against him. A reasoned order makes reference to various statements from which the role of the applicant has clearly surfaced on record.

2. By the second bail application, the learned counsel Mr.Kashid wants me to look into the merits of the matter once again, by submitting that some material has not been looked into.

I am afraid, whether the learned counsel wants to review the order passed by me, rejecting the bail application.

Mr.Kashid would rely upon the order dated 28/02/2023 passed by this Court (Coram : M.S.Karnik, J.) in the case of co-accused Rohit Dinesh Salekar (Bail Application No.1295 of 2022). Perusal of the said order would reveal that the only ground on which the co-accused was released on bail is, his long incarceration for more than five and half years and the trial will take it's own time. Apart from this, there was no overt act attributed to the said co-accused.

3. The case of the applicant is clearly distinguishable and, since, I have already rejected the bail application on merits, I do not think that there is any change in circumstance to recall the said order and once again re-consider the request of the applicant for release on bail.

Hence, the application is dismissed.

However, the long incarceration of the applicant, prompts me to direct the Sessions Court, Thane to frame the charge within a period of three months from today and make every endeavour to expeditiously conclude the trial, preferably within a period of one year, after framing of charge.

(SMT. BHARATI DANGRE, J.)