



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CRIMINAL APPLICATION (BA) NO.310 OF 2023

Bhimrao S/o Bhaurao Parteti .Vs. The State of Mah. Forest Department, through
RFO, Pench Tiger Reserve, Nagpur.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri S.G. Karmarkar, Advocate for applicant.
Shri N.R. Patil, A.G.P. for non-applicant/State.

CORAM : ANIL S. KILOR, J.
DATED : 28/08/2023

1. This is a successive bail application moved by the applicant after the first application was rejected by this Court on 19.09.2022.
2. It is the case of the applicant that the liberty was granted by this Court to move a fresh application in case, trial Court is not concluded within six months, the present application came to be filed.
3. The record shows that the applicant was arrested on 04.08.2017 and thereafter, he was released on bail on 01.09.2017 which was cancelled on 13.11.2017 and despite the same, he did not surrender and he was arrested on 14.03.2018. Thereafter, on 29.03.2020, he was released on bail during the pandemic period and again he did not surrender after the period of bail was over and he was arrested on 17.06.2022.

4. Thus, considering the conduct of the applicant, the learned APP has expressed apprehension that, if the applicant is released on bail, he will not be made available for the trial.

5. The learned APP further points out that because of numerous applications moved by the accused person including application for bail and discharge, the trial was not concluded within six months from the date of order dated 19.09.2022.

6. The learned counsel for the applicant points out that, the applicant is in jail from last three years and the maximum punishment is seven years. As such, according to the learned counsel for the petitioner, he is in jail for substantive period. Accordingly, he prays for grant of bail.

7. Having found that there is a substance in the apprehension mentioned by the learned APP, I am of the opinion that, it would be just and proper to reject the application and to grant liberty to the applicant to apply afresh to the trial Court, in case, the trial is not concluded in next six months.

Accordingly, the application is **disposed of**.

JUDGE