

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

Criminal Application (BA) No. 1484 of 2022

[Sheikh Shanu Sheikh Jabbar ..vs.. State of Maharashtra through PSO Wardha(City)]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. A. M. Jaltare, Advocate for the applicant
Mr. M. K. Pathan, A.PP for the State/non-applicant

CORAM : ROHIT B. DEO, J.

DATED : 3-3-2023

This application is placed before me since I had rejected the earlier application on merits.

2. The submission of learned counsel for the applicant Mr. Jaltare is, that apart from the merits of the matter, the fact that the applicant is languishing in custody since 25-8-2018 and that an early trial appears to be difficult, is reason sufficient to revisit the applicant's entitlement to bail.

3. Learned Additional Public Prosecutor Mr. Pathan would submit that the applicant is facing trial under the provisions of the Maharashtra Control of Organised Crime Act, 1999 (MCOC Act) and is allegedly the gang leader. Mr. Pathan would invite my attention to the reasons recorded in the earlier rejection order. In so far as the apprehension that the trial may be unduly

delayed, it is fairly submitted by Mr. Pathan that he is informed that the Special MCOC Court is presently assigned only two trials under the MCOC Act and the present trial is fixed on 16-3-2023 for recording of evidence. In this situation, I deem it more appropriate to request the learned trial Judge to conclude the trial as expeditiously as possible, and in any event, within the next seven months.

4. If despite the direction supra, there is no significant progress in the trial in next four months, the applicant shall be free to approach this Court for bail.

5. The application is disposed of.

JUDGE

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