

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL BAIL APPLICATION NO. 389 OF 2024

Manish Raju Dulgach

..Applicant

Versus

The State of Maharashtra & Anr.

..Respondents

Ms. Ruchita Patel for Applicant.

Smt. M. H. Mhatre, APP for State/Respondent.

Mr. Himanshu Rai i/b. Shabnam Shaikh for Respondent No.2.

CORAM : SARANG V. KOTWAL, J.

DATE : 23 APRIL 2024

P.C. :

1. The Applicant is seeking his release on bail in connection with C.R.No.792 of 2020 registered at Virar Police Station, under sections 376(2)(i) of the Indian Penal Code and under sections 4 and 6 of the Protection of Children from Sexual Offences Act.

2. The applicant had earlier approached this Court vide the Criminal Bail Application No.2128 of 2021. At that time, the application was allowed to be withdrawn unconditionally after the arguments when the Court had expressed disinclination to grant

relief.

3. Learned counsel for the applicant submitted that, he was arrested on 08.09.2020 and till today the Charges are not framed. She submitted that, directions be issued to the Trial Court to conclude the trial within a reasonable time bound manner. If the trial is not concluded within that period, liberty be granted to approach this Court again for the applicant's release on bail. She submitted that, if such directions are issued, at this stage, she is not pressing this application.

4. The request is reasonable. The applicant is in custody since 08.09.2020. Therefore, in any case, the Trial Court is required to take up this trial expeditiously.

5. Hence, the following order :

ORDER

- i) The application is allowed to be withdrawn.
- ii) The learned Trial Judge is requested to take up this trial on urgent basis. It is informed that the next date is 02.05.2024.

- iii) The Trial Judge shall start the Trial immediately and conclude it within a period of four months from 02.05.2024 by conducting the trial on day to day basis, as far as possible.
- iv) Both parties shall co-operate with the conclusion of trial within that period.
- v) If the trial is not concluded within four months from 02.05.2024 without any fault on the part of the applicant, he is at liberty to prefer a fresh application for his release on bail in this Court.
- vi) With these observations, the application is disposed of as withdrawn.
- vii) A copy of this order be sent to the trial Court immediately.

(SARANG V. KOTWAL, J.)