

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL BAIL APPLICATION NO.1541 OF 2024

Altaf Iqbal Pathan	...	Applicant
V/s.		
The State of Maharashtra	...	Respondent

Mr. Mahendra Kawchale, for the applicant.
Ms. Veera Shinde, APP, for the Respondent/State.

CORAM : ANIL S. KILOR, J.

DATE : 27TH AUGUST, 2024.

PC:

1. Heard.
2. By this application under Section 439 of the Code of Criminal Procedure the applicant is seeking bail in Crime No.143 of 2021, registered with Bund Garden Police Station, for the offences punishable under Sections 395, 397, 323, 506 r/w 34 of the Indian Penal Code and Sections 3(1) (i) (ii) and 3(4) of the Maharashtra Control of Organised Crime Act (MCOC, Act).
3. Having gone through the charge-sheet and the relevant material collected by the IO during the investigation, it is evident that there is sufficient incriminating material against the applicant to show the involvement of the applicant in the alleged offence. Furthermore,

there are 25 antecedents against the applicant of the similar nature. The applicant is the leader of this syndicate.

4. In the above referred backdrop, if the argument made by the learned counsel for the applicant is considered namely the applicant is in jail from about 3 years and there is no progress in the trial, I do not find merit in it, considering the antecedents of the applicant and prima facie evidence against the applicant.

5. However, I am of the opinion that considering the period of incarceration, if the trial Court is expedited, the purpose would be served. Accordingly, the application is rejected.

6. The trial Court is directed to expedite the trial and make the endeavour to conclude the trial within one year.

7. Liberty is directed to the applicant to apply afresh for grant of bail before the trial Court if there is no progress in the trial in next one year.

8. The learned counsel for the applicant undertakes to supply copy of this order on the record of the trial Court within two weeks from today.

(ANIL S. KILOR, J)