

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

BAIL APPLICATION NO. 2246 OF 2024

Mohammad Khalid Mukhtar Ahmed Shaikh

...Applicant

Versus

The State of Maharashtra

...Respondent

WITH
INTERIM APPLICATION NO. 4647 OF 2024
IN
BAIL APPLICATION NO. 2246 OF 2024
WITH
INTERIM APPLICATION NO. 3057 OF 2024
IN
BAIL APPLICATION NO. 2246 OF 2024

- Mr. Pandit Kasar, for Applicant.
- Mr. Tanveer G. Khan, APP for respondent – State.
- Mr. Umar Dalvi a/w Mr. Sohail Ahmed and Mr. Aamir Koradia, for Intervenor / Original Complainant.
- Mr. Ravindra Baburao Patil, PSI, Bhiwandi City Police Station.

CORAM : MANISH PITALE, J.

DATE : 27th NOVEMBER, 2024.

P. C. :

1. Heard learned counsel for the applicant and the learned APP for the State as well as the learned counsel appearing for the first informant.
2. Today some difficulty is expressed on the part of the learned counsel engaged to appear on behalf of the first informant.
3. In any case, this Court finds that the earlier bail application was dismissed on merits and the order was confirmed by the Supreme Court,

except for granting liberty to the applicant to move this Court afresh. Eventually an application filed in pursuance of the said liberty was withdrawn with further liberty to approach the Sessions Court.

4. The application filed before the Sessions Court was dismissed on merits and therefore, the applicant is constrained to pursue the present application.

5. It is to be noted that when this Court dismissed the earlier bail application on merits, charge-sheet was already filed. In that view of the matter, this Court is not inclined to consider the contentions sought to be raised on behalf of the applicant on merits on the basis of the material filed alongwith the charge-sheet.

6. In this situation, the learned counsel for the applicant submits that he would be pressing this application on the basis of a forensic report received thereafter and the report pertaining to Pen Drive collected when a raid was conducted. It is also indicated that this application would be pressed on the ground of long incarceration and remote possibility of the trial being completed within a reasonable period of time.

7. The learned APP to keep the *Roznama* of the Court ready for perusal of this Court to verify as to the reasons for the pace at which the

proceedings were gone ahead before the concerned Trial Court. The learned APP may also respond to the new material upon which the applicant intends to press the bail application.

8. List the application for further consideration on **08th January, 2025, “High on Board.”**

(MANISH PITALE, J.)