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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

CRIMINAL APPLICATION NO.5741 OF 2015

Rajaram Eknath Dhurpate

..APPLICANT

VERSUS

The State of Mah. & anr.

..RESPONDENTS

Mr Shivaji T. Shelke, Advocate for applicant;
Mr S.M. Ganachari, A.P.P. for respondents

CORAM : N.W. SAMBRE, J.

DATE : 23rd October, 2015

ORAL ORDER :

By this application, the applicant is praying to re-consider/re-call of the order dated 1st October, 2015, whereby the application for grant of pre-arrest bail of the applicant, in C.R. No.I-99 of 2015, was rejected.

2. According to Mr Shelke, learned Counsel appearing on behalf of the applicant, there are subsequent developments, which have prompted the applicant to file this application, and has sought to invite attention of this Court to certain proceedings of the Grampanchayat, so also the order passed in Criminal Application No.5075 of 2015, preferred by one of the co-accused, granting pre-arrest bail.

3. The application is opposed by the learned Addl. Public Prosecutor, on the ground that after considering the contentions of the applicant, bail

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was rejected on 1st October, 2015 and this Court cannot review its order, in exercise of criminal jurisdiction. He then would urge that since this Court was of the *prima facie* opinion about involvement of the applicant in commission of the crime in question, this Court should not show any indulgence in the present application.

4. Having considered rival contentions, in the light of the prayer made in the application, it is required to be noted that the applicant has prayed for re-call of the earlier order, rejecting the application for grant of pre-arrest bail, preferred by the present applicant. If the present application is considered, at this stage, in my opinion, the same would amount to reviewing the order.

5. Apart from above, it is required to be noted that while rejecting the application of the applicants on 1st October, 2015, this Court has already considered *prima facie* involvement of the applicant as mentioned in the first information report, which attracts the provisions of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act and bar under section 18 thereof.

6. In view of above, no case for grant of prayer is made out. Criminal Application, therefore, stands rejected.

(N.W. SAMBRE, J.)

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